

**I COUNCIL PROCEDURE RULES**

These Procedure Rules are Standing Orders made under S135 Local Government Act 1972.

**1. ANNUAL MEETING OF THE COUNCIL**

**1.1 Timing and business**

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.

The annual meeting will:

- (i) elect a person to preside if the Chair is not present;
- (ii) elect the Chair of Council;
- (iii) elect the Vice Chair of Council;
- (iv) receive declaration from Members of interests in the matters to be considered at the meeting;
- (v) approve the minutes of the last meeting;
- (vi) receive any announcements from the Chair, Mayor and/or Managing Director;
- (vii) appoint at least one Overview and Scrutiny Committee, a Standards Committee and such other Committees as the Council considers appropriate to deal with matters which are not reserved to full Council nor are Executive functions (as set out in Part 3, Table 1 of this Constitution);
- (viii) be told by the Mayor about the composition and Constitution of the Executive for the coming year, and the names of Councillors he/she has chosen to be Members of the Executive;
- (ix) be told by the Mayor about the scheme of delegation (as set out in Part 3, Table 3 of this Constitution);
- (x) approve a programme of ordinary meetings of the Council for the year; and
- (xi) consider any business set out in the notice convening the meeting.

# **I COUNCIL PROCEDURE RULES**

## **1.2 Selection of Councillors on Committees and Outside Bodies**

At the annual meeting, the council meeting will:

- (i) decide which Committees to establish for the municipal year;
- (ii) decide the size and terms of reference for those Committees;
- (iii) decide the allocation of seats and any substitutes to Political Groups in accordance with the political balance rules;
- (iv) receive nominations of Councillors to serve on each Committee and outside body where appointments to those bodies is reserved to full Council; and
- (v) appoint to those Committees and outside bodies except where appointment to those bodies has been delegated by the Council or is exercisable only by the Executive.

## **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:

- (i) elect a person to preside if the Chair and Vice-Chair are not present;
- (ii) consider the extent to which the public and press may be excluded from the meeting;
- (iii) receive declarations by Members of interest in the matters to be considered at the meeting;
- (iv) approve as a correct record the minutes of the last meeting;
- (v) receive any announcements from the Chair, the Mayor, Members of the Cabinet or the Managing Director;
- (vi) receive any reports relating to Statutory Plans and/or major policy initiatives;
- (vii) consider motions of which notice has been submitted by Members of the Council in accordance with Rule 15 in the order in which they are recorded as having been received.
- (viii) receive any reports from the Executive, Overview and Scrutiny and the Council's Committees and receive questions and answers on any of those reports;

## **I COUNCIL PROCEDURE RULES**

- (ix) receive questions to the Elected Mayor, Cabinet Members and the Chair of the Overview and Scrutiny Management Committee from, and provide answers to, the public further to Rule 12 and Members further to Rule 14.2;
- (x) receive the minutes, reports about and questions and answers on the business of Joint Authorities, Joint Arrangements and external organisations;
- (xi) consider any other business specified in the summons to the meeting, including the presentation of petitions from Members of the Council and receiving deputations from the public.

### **3. EXTRAORDINARY MEETINGS**

#### **3.1 Calling Extraordinary Meetings**

Those listed below may request the Managing Director to call Council meetings in addition to ordinary meetings

- (i) the Council by resolution;
- (ii) the Chair of the Council;
- (iii) the Monitoring Officer, Chief Finance Officer or Managing Director;
- (iv) any five Members of the Council if they have signed a requisition for such a meeting and presented it to the Chair of the Council and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition;
- (v) any requisition under 3.1(iv) may be presented to the Chair by being left for him/her with the Managing Director;
- (vi) where it is decided to call an extraordinary meeting of the Council under (ii) or (iv) above, the Members calling the meeting shall tell the Managing Director they have done so, the business to be transacted and the date and time for which the meeting is called. The Managing Director shall then ensure that the necessary notices and summonses are published and sent.

#### **3.2 Business**

The business that may be conducted at an extraordinary meeting shall be restricted to consideration of the business to be transacted specified by the Council, individual or Members further to Rule 3.1 above and such other business as agreed by the Chair and being specified in the summons to the meeting.

# **I COUNCIL PROCEDURE RULES**

## **4. ORDER OF BUSINESS**

The order of business at meetings of the Council may be varied by:

- (i) the Chair, with the consent of the Members present, or
- (ii) a resolution of the Council, moved, seconded and put without comment,

but the order of business of items 1.1(i)-(v) and 2(i)-(iv) shall not be varied.

## **5. URGENT ITEMS**

If the Chair decides that an item of business not included in the agenda for the meeting sent with the summons may be taken for reasons of urgency (which must be specified) that item shall, subject to any decision under Rule 4 be taken at the end of the other items of business.

## **6. APPOINTMENT OF SUBSTITUTE MEMBERS**

### **6.1 Allocation**

As well as allocating seats on Committees and Sub-Committees, the Council will allocate seats in the same manner for substitute Members to attend the Employee Relations Committee, the Chief Officer's Appointment and Conditions of Service Committee and the JNC Chief Officer's Appeals Committee. No other arrangements for substitute Members shall be made.

### **6.2 Number**

For the Committees specified in 6.1 above, the Council will appoint the same number of substitutes in respect of each Political Group as that group holds ordinary seats on that Committee or Sub-Committee.

### **6.3 Powers and duties**

Substitute Members will have all the powers and duties of any ordinary Member of the Committee but will not (if being a substitute for the Chair or Vice-Chair of the Committee or Sub-Committee) preside at the meeting unless appointed as Chair at any particular meeting.

### **6.4 Substitution**

Substitute Members may attend meetings in that capacity only:

## **I COUNCIL PROCEDURE RULES**

- (i) to take the place of the ordinary Member for whom they are the designated substitute;
- (ii) where the ordinary Member will be absent for the whole of the meeting; and
- (iii) after notification in writing has been received by the Managing Director by no later than 12.00 noon on the working day prior to the date of the meeting of the intended substitution.

The notification must state the name of the Committee or Sub-Committee Member who will be absent, the name of the substitute Member, the date of the meeting (or such longer period during which the substitution shall have effect) and be signed by the Committee or Sub-Committee Member or the relevant group leader

### **7. TIME AND PLACE OF MEETINGS**

- 7.1 All meetings of the Council shall be held at the Mansion House, Doncaster unless the Managing Director decides that it would be appropriate that a meeting of the Council be held at another place in the Borough. In considering other venues the Managing Director shall have regard to ease of access by the public including people with a disability and the provision of public transport.
- 7.2 The time of meetings will be determined by the Managing Director and notified in the summons.

### **8. NOTICE OF AND SUMMONS TO MEETINGS**

- 8.1 The Managing Director will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. The notice shall be published at Copley House, Waterdale, Doncaster. At least five clear days before a meeting, the Managing Director will send a summons signed by him or her by post to every Member of the Council or leave it at their usual place of residence (or such other address as has been notified to the Managing Director). The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

### **9. CHAIR OF MEETING**

- 9.1 The person presiding at the meeting may exercise any power or duty of the Chair. Where these rules apply to Committee and Sub-Committee meetings, references to the Chair also include the Chair of Committees and Sub-Committees.
- 9.2 If present at a meeting of the Council the Chair shall preside.

## **I COUNCIL PROCEDURE RULES**

9.3 If the Chair is absent from a meeting of the Council the Vice-Chair , if present, shall preside.

9.4 If both the Chair and Vice-Chair are absent from a meeting of the Council such Member of the Council as shall be chosen by the Members of the Council shall preside.

### **10. QUORUM**

10.1. The quorum of a meeting will be one quarter of the whole number of Members unless more than one third of the Members become disqualified when the quorum shall be determined in accordance with paragraph 45, Schedule 12 of the Local Government Act 1972.

10.2 The Chair shall be taken at the time specified in the summons calling the meeting and business shall commence as soon as the quorum is present.

10.3 If after the expiration of 15 minutes after the specified time a quorum is not present no meeting shall take place and the business shall be postponed in accordance with 10.6 below.

10.4 During any meeting if the Chair counts the number of Members present and declares there is not a quorum present, the meeting will adjourn immediately for 15 minutes.

10.5 If after 15 minutes, the Chair, after counting the number of Members present declares that there is still no quorum present, the Chair shall declare the meeting is adjourned and the names of those who are present and those who are absent shall be recorded in the minutes of Council.

10.6 If a meeting is adjourned further to 10.5 above, (notwithstanding any provision in these rules that Notices of Questions and Motions shall lapse) remaining business will be considered at a time and date fixed by the Chair. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

### **11. DURATION OF MEETING**

11.1 Council will normally transact all items of business on the published agenda.

11.2 If a meeting has lasted for 3 hours the Chair shall interrupt the meeting and call for a vote of Members present on whether the meeting shall continue. If Members decide that the meeting shall not continue, the Chair will call for a vote immediately on the item under discussion. The vote will then be taken in the usual way (including the recording of votes) without any further discussion.

## **I COUNCIL PROCEDURE RULES**

- 11.3 Remaining business will be adjourned to a time and date fixed by the Chair. If he/she does not fix a date the remaining business will be considered at the next ordinary meeting.

### **QUESTIONS AT COUNCIL MEETINGS**

A "Question Time" session for public questions under Rule 12 and for Member questions under Rules 14.2, 14.3 and 14.8 shall not last for longer than 60 minutes in total.

## **12. QUESTIONS BY THE PUBLIC**

### **12.1 General**

Members of the public may ask questions of Members of the Executive at ordinary meetings of the Council.

### **12.2 Order and number of questions**

Questions will be asked in the order notice of them was received, except that the Chair may group together similar questions.

A maximum number of 6 questions from the public shall be asked at any one meeting of the Council.

### **12.3 Notice of questions**

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Managing Director no later than midday of the 7th working day before the day of the meeting. Each question must give the name and address of the questioner and must name the Member of the Council to whom it is to be put.

### **12.4 Number of questions**

At any one meeting no person may submit more than 1 question and no more than 1 such question may be asked on behalf of one organisation.

No person may submit more than 2 questions and no more than 2 questions may be asked on behalf of an organisation in any 6 month period.

### **12.5 Scope of Questions**

Questions should be limited to a maximum of 100 words and should relate to Borough wide issues and be relevant to some matter for which the Local Authority has a responsibility or which affects the Borough.

The Managing Director may reject a question if it:

- is not a matter for which the Local Authority has a responsibility or which affects the Borough;

## **I COUNCIL PROCEDURE RULES**

- is defamatory, frivolous or offensive;
- is substantially the same as a question which has been put at a meeting of the Council in the past 6 months; or
- requires the disclosure of confidential or exempt information.

### **12.6 Record of questions**

The Managing Director will enter each question in a book open to public inspection and will immediately send a copy of the question to the Member to whom it is to be put. Rejected questions will include reasons for rejection.

Copies of all questions to be asked will be circulated to all Members and will be made available to the public attending the meeting.

### **12.7 Asking the question at the meeting**

The Chair will invite the questioner to put the question to the Member named in the notice. If a questioner who has submitted a written question is unable to be present, they may ask the Chair to put the question on their behalf. The Chair may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with.

### **12.8 Oral answers**

An answer to a question may be given by a Member to whom it is addressed or by another Member on his/her behalf and shall be given orally, limited to maximum of 3 minutes, subject to the discretion of the Chair.

### **12.9 Written answers**

Any question which cannot be dealt with during public question time, either because of lack of time or because the number of questions submitted for the meeting is greater than 6 or because of the non-attendance of the Member to whom it was to be put, will be dealt with by a written answer provided within 2 weeks of the meeting.

### **12.10 Reference of question to the Executive or a Committee**

Unless the Chair decides otherwise, no discussion will take place on any question, but any Member may move that a matter raised by a question be referred to the Executive or the appropriate Committee or Sub-Committee. Once seconded, such a motion will be voted on without discussion.



## **I COUNCIL PROCEDURE RULES**

### **12.11 Record of answers**

Any question asked by a Member of the public together with the answer given, shall be recorded in the minutes of the meeting.

## **13. PETITIONS AND DEPUTATIONS FROM THE PUBLIC**

### **13.1 Petitions**

Subject to 13.2 at a meeting of the Council any Member may present a petition, signed by persons other than Members of the Council, which is relevant to some matter in relation to which the authority have functions, or which affects the area of the authority or part of it, or the inhabitants of the area, or some of them.

13.2 A Member wishing to present a petition shall give notice in writing to the Managing Director at least 10 working days before the meeting and shall show the petition to him/her.

13.3 The presentation of a petition by the Member shall be limited to no more than 3 minutes and shall be confined to reading out, or summarising the substance of the petition, indicating the number and description of the signatories and making relevant further supporting remarks.

13.4 If presented at a meeting of the Council, the petition shall immediately be referred without discussion to the appropriate Executive Member, Committee or Sub-Committee.

13.5 The Chair may agree to receive a petition at other appropriate locations in the Borough. When the Chair agrees to do so, the Ward Councillors for the area in which the person submitting the petition resides, shall be notified and invited to attend.

13.6 Following its presentation the petition shall be given to the Managing Director.

### **13.7 Deputations by the Public**

#### **13.7.1 General**

Members of the public may request that a deputation should be received by a meeting of the Council or a Committee or Sub-Committee of the Council.

## **I COUNCIL PROCEDURE RULES**

### **13.7.2 Notice**

The request shall be made in writing to the Managing Director at least 10 working days before the meeting. The notice shall indicate the matter to which the deputation relates, the name and address of the 5 people who will form the deputation (who must be local government electors for the area) and which of them will be the spokesperson.

### **13.7.3 Scope of Deputation**

Deputations should relate to Borough wide issues and be relevant to some matter for which the Local Authority has a responsibility or which affects the Borough.

The Managing Director may reject a request that a deputation be received if it:

- is not a matter for which the Local Authority has a responsibility or which affects the Borough;
- may be defamatory, frivolous or offensive
- covers substantially the same matter which has been considered at a meeting of the Council in the past 6 months; or
- may raise confidential or exempt information.

13.7.4 On being called by the Chair, the spokesperson may speak for not more than 5 minutes on matters relevant to the deputation.

13.7.5 Members of the Council, Committee or Sub-Committee may, during a further period not exceeding 5 minutes ask questions of Members of the deputation. Such questions shall be asked and answered without discussion.

13.7.6 After hearing a deputation to the Council and receiving any answers to questions the matter shall be referred without discussion to the Executive or appropriate Committee or Sub-Committee for consideration, unless the deputation relates to a function specifically reserved to the Council.

13.7.7 Petitions shall be presented and deputations received in the order in which notice of them is received by the Managing Director, without making any distinction between petitions and deputations.

# **I COUNCIL PROCEDURE RULES**

## **14. QUESTIONS BY MEMBERS**

### **14.1 On reports of the Executive or Committees**

A Member of the Council may ask the Mayor, the relevant Cabinet Member or the Chair of a Committee any question without notice upon an item of the report of the Executive or Committee when that item is being received or is under consideration by the Council.

### **14.2 To the Elected Mayor, Cabinet Members and Chair of Overview and Scrutiny - 'Question Time'**

14.2.1 At ordinary meetings of the Council there shall be an opportunity for a Member of the Council to ask the Mayor, the relevant Cabinet Member or the Chair of Overview and Scrutiny any question without notice which is relevant to the discharge of their role and responsibilities.

14.2.2 Arrangements for "Question Time" shall be at the discretion of the Chair subject to the following:

- (a) At each ordinary meeting of the full Council there shall be an opportunity for Members to ask questions of the Executive and the Chair of the Overview and Scrutiny Management Committee.
- (b) So far as is reasonably practicable, advance notice must be given to Members of the Council which identifies the Cabinet Members to whom questions may be put at any particular ordinary Council meeting.
- (c) A Cabinet Member may nominate another Cabinet Member to receive questions in their absence.
- (d) Each Member shall be allowed a maximum of 2 minutes to ask their question without notice, subject to the discretion of the Chair.

14.2.3 An answer may take the form of:

- (a) a direct oral answer which should be limited to a maximum of 3 minutes, subject to the discretion of the Chair;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written answer circulated to Members of the Council within 2 weeks of the date of the Council meeting at which it was raised and be available as a public record.

### **14.3 Questions on notice at full Council**

Subject to Rule 14.5, a Member of the Council may ask:

## **I COUNCIL PROCEDURE RULES**

- the Chair;
- a Member of the Executive;
- the Chair of any Committee or Sub-Committee;
- a Member of the Council appointed to any Joint Authority or Joint Committee or Committee of which the Authority is a constituent authority and is nominated by the Joint Authority or Joint Committee or Committee for that purpose;
- a Member of the Council who is as a result of action taken by or on behalf of the authority a Member or director of any company

a question on any matter in relation to which the Council has powers or duties or which affects the Borough of Doncaster and such questions shall be limited to a maximum of 100 words.

### **14.4 Questions on notice at Committees and Sub-Committees**

Subject to Rule 14.5, a Member of a Committee or Sub-Committee may ask the Chair of it a question on any matter in relation to which the Council has powers or duties or which affect the Borough of Doncaster and which falls within the terms of reference of that Committee or Sub-Committee.

### **14.5 Notice of questions**

A Member may only ask a question under Rule 14.3 or 14.4 if either:

- (a) they have given notice by delivering it in writing or by electronic mail to the Managing Director no later than midday of the 7th working day before the day of the meeting.
- (b) the question relates to urgent matters, they have the consent of the Chair and the content of the question is given to the Managing Director in writing prior to the start of the meeting.

No Member shall give notice of more than one question for any meeting of the Council. All questions shall be limited to a maximum of 100 words.

### **14.6 Response**

Every question shall be put and answered without discussion, but the Member to whom it is put may decline to answer it.

An answer may take the form of:

- (a) a direct oral answer which will be limited to a maximum of 3 minutes, subject to the discretion of the Chair;

## **I COUNCIL PROCEDURE RULES**

- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written answer circulated to Members of the Council within 2 weeks of the date of the Council meeting at which it was raised and be available as a public record.

An answer to a question on the discharge of the functions of a Police Authority shall be given by a person nominated by the Police Authority for that purpose.

### **14.7 Supplementary question**

If the Chair permits, a Member asking a question under Rule 14.3 or 14.4 may ask one supplementary question without notice of the Member to whom the first question was asked. The supplemental question must arise directly out of the original question or the reply and shall be put and answered without discussion.

### **14.8 Questions on notice to Officers**

If a Member of the Council wishes to ask a question of an Officer or other person who is, as a result of action taken by or on behalf of the authority a Member or director of a company he/she shall give notice to the Managing Director in accordance with 14.5. Unless the Officer refuses to answer, the question shall be given a written answer in the same way as under 14.6(c).

### **14.9 Record of answers**

Any question asked by a Member under 14.2 or 14.3 together with any answer given shall be summarised and printed in the minutes of the meeting.

If a Member of the Council who has submitted a question is not present when the question is called, the question may, with the consent of the Chair be asked by any other Member.

## **15. MOTIONS ON NOTICE**

### **15.1 Notice**

Except for motions which can be moved without notice under Rule 16 and urgent motions, written notice of every motion, signed by the mover and seconder, must be delivered to the Managing Director not later than midday of the 7th working day before the date of the meeting. The Managing Director shall record the date and time at which every motion is received (including any notice of motion which is not accepted) and enter them in a book open to public inspection.

## **I COUNCIL PROCEDURE RULES**

The Managing Director shall not accept any notice of motion which, by reason of enactment or law or provision in these Rules (other than below), could not be considered at the meeting for which it is given.

### **Urgent motion**

The Chair may accept a motion to be considered as a matter of urgency (in which case the reason for urgency shall be specified).

### **15.2 Motion set out in agenda**

Motions for which notice has been given will be listed on the agenda in the order in which notice was received, unless the Member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.

### **15.3 Scope**

Motions must be relevant to matters for which the Council has a responsibility or which affect the area of the authority or part of it, or the inhabitants of the area, or some of them.

### **15.4 The Managing Director may reject a motion if it:**

- is not a matter for which the Local Authority has a responsibility or which affects the Borough;
- is defamatory, frivolous or offensive;
- is substantially the same as a motion which has been put at a meeting of the Council in the past 6 months; or
- requires the disclosure of confidential or exempt information.

### **15.5 A motion shall only be moved by the Member who has signed the notice, or by another Member authorised by that Member and notified to the Managing Director not later than the commencement of the meeting.**

### **15.6 Where notice of motion has been accepted for any meeting of the Council, but is neither moved nor seconded at the meeting, nor referred to any Committee or Sub-Committee the notice shall lapse and the motion shall not be moved without further notice.**

## **16. MOTIONS WITHOUT NOTICE**

The following motions may be moved without notice:

## **I COUNCIL PROCEDURE RULES**

- (a) to elect a Chair, Deputy Chair or to appoint a Chair 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 Member 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) that the question be now put;
- (k) to adjourn a debate;
- (l) to adjourn a meeting;
- (m) that the meeting continue beyond 3 hours in duration;
- (n) to extend the time limit for speeches;
- (o) to suspend a particular Council Procedure Rule or Finance Procedure Rule;
- (p) to exclude the public and press in accordance with the Access to Information Rules;
- (q) to not hear further a Member named under Rule 24.3(i) or to exclude them from the meeting under Rule 24.3(ii);
- (r) to give the consent of the Council where its consent is required by this Constitution;
- (s) to refer a petition which has been presented to the Council or the subject matter of a deputation which has addressed the Council to the Executive or a Committee or Sub-Committee for consideration;

# **I COUNCIL PROCEDURE RULES**

## **17. RULES OF DEBATE**

The rules of debate set out in Council Procedure Rule 17 shall apply to all meetings of the Council and its Committees and Sub-Committees.

If two or more Members offer to speak the Chair shall call one of them to speak at any one time.

### **17.1 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 (provided that, in a Committee or Sub-Committee of 5 or fewer Members, an amendment shall not need to be seconded).

### **17.2 Right to require motion in writing**

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

### **17.3 Secunder's speech**

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

### **17.4 Length of speeches**

Except with the consent of the meeting signified without comment, the mover of a motion shall not speak for more than 10 minutes and no other speaker shall speak for more than 5 minutes. A Member who moves an amendment is not moving a motion, and the length of time allotted to the mover of a motion does not include any permitted under a Right of Reply.

### **17.5 Content of speeches**

Speeches must be directed to the question under discussion or to a personal explanation or point of order. The Chair shall warn a Member for irrelevance, tedious repetition, failure to address the Chair, unbecoming language or offensive remarks about a Member or Officer. If the Member does not take notice the Chair may order him/her to end his speech and may take further action under Council Procedure Rule 24. No Member shall use offensive expressions in reference to any Member or Officer of the Council or any third party.

### **17.6 When a Member may speak again**

A Member who has spoken on a motion may not speak again whilst it is the subject of debate, except:



## **I COUNCIL PROCEDURE RULES**

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

### **17.7 Amendments 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 wordsas long as the effect of (ii) to (iv) is not simply 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 had been disposed of provided that the Chair may permit two or more amendments to be discussed (but not voted on) together if he/she thinks this will benefit the conduct of business.
- (c) An amendment must be voted on before the motion is voted on.
- (d) If an amendment is not carried, other amendments to the original motion may be moved and seconded.
- (e) If an amendment is carried, the motion is amended and takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.

## **I COUNCIL PROCEDURE RULES**

- (f) After an amendment has been carried, the Chair will read out the amended motion before accepting any further amendments, or if there are none, before hearing any further speeches on the motion.

### **17.8 Alteration of motion**

- (a) A Member may alter a motion of which he/she has given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- (b) A Member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder (if still present). The meeting's consent will be signified without discussion.
- (c) Only alterations which could be made as an amendment may be made.

### **17.9 Withdrawal of motion**

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

### **17.10 Right of reply**

A right of reply is confined to answering points raised by previous speakers, new material shall not be introduced.

- (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) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.
- (c) The mover of the amendment has no right of reply to the debate on his or her amendment.

### **17.11 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;

## **I COUNCIL PROCEDURE RULES**

- (c) to proceed to the next business;
- (d) that the question be now put;
- (e) to adjourn a debate;
- (f) to adjourn a meeting;
- (g) that the meeting continue beyond 3 hours in duration;
- (h) to exclude the public and press in accordance with the Access to Information Rules; and
- (i) to not hear further a Member named under Rule 24.3(i) or to exclude them from the meeting under Rule 24.3(ii).

### **17.12 Closure motions**

- (a) A Member may move, without comment, the following closure motions at the end of a speech of another Member:
  - (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) A closure motion shall be moved, seconded and put without discussion.
- (c) A closure motion may not be moved or seconded by the mover or seconder of the motion or any Member who has spoken on the motion.
- (d) If a motion to proceed to next business is seconded and the Chair thinks the item has been sufficiently discussed, he or she will give the mover of the original motion a right of reply and then put the closure motion to the vote. If the closure motion is carried the motion shall lapse.
- (e) If a motion that the question be now put is seconded and the Chair thinks the item has been sufficiently discussed, he/she will put the closure motion to the vote. If it is carried he/she will give the mover of the original motion a right of reply before putting his/her motion to the vote.

## **I COUNCIL PROCEDURE RULES**

- (f) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chair thinks the item has been sufficiently discussed he/she may refuse to accept the closure motion and shall instead move a motion “that the question be now put” as at (e) above.
- (g) If the Chair is of the opinion that the motion has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply. The motion (if the debate is adjourned) or the remaining business (if the meeting is adjourned) shall then stand over as uncompleted business to the next meeting.
- (h) If any closure motion is lost a further closure motion in the same or similar terms shall not be permitted within a period of 15 minutes thereafter.

### **17.13 Point of order**

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

### **17.14 Personal explanation**

A Member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the Member which may appear to have been misunderstood in the present debate. The ruling of the Chair on the admissibility of a personal explanation will be final.

## **18. STATE OF THE BOROUGH DEBATE**

### **18.1 Calling of debate**

The Chair may call a state of the Borough debate annually on a date and in a form to be agreed with the Elected Mayor.

### **18.2 Form of debate**

The Chair will decide the form of the debate with the aim of enabling the widest possible public involvement and publicity. This may include holding workshops and other events prior to or during the state of the Borough debate.

## **I COUNCIL PROCEDURE RULES**

### **18.3 Chairing of debate**

The debate will be Chaired by the Chair.

### **18.4 Results of debate**

The results of the debate will be:

- (i) disseminated as widely as possible within the community and to agencies and organisations in the area; and
- (ii) considered by the Mayor in proposing the budget and policy framework to the Council for the coming year.

## **19. PREVIOUS DECISIONS AND MOTIONS**

### **19.1 Motion to rescind a previous decision**

A motion or amendment to rescind a decision made at a meeting of Council within the past 6 months cannot be moved unless the notice of motion is signed by the number of Members that would constitute a quorum of the Council or is a recommendation of the Executive or a Committee or Sub-Committee of the Council.

### **19.2 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 6 months cannot be moved unless the notice of motion or amendment is signed by the number of Members that would constitute a quorum of the Council or is a recommendation of the Executive or a Committee or Sub-Committee of the Council.

## **20. VOTING**

### **20.1 Majority**

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

### **20.2 Chair's casting vote**

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

## **I COUNCIL PROCEDURE RULES**

### **20.3 Show of hands or electronic voting**

Unless a recorded vote is demanded under Rule 20.4, the Chair will take the vote either by show of hands or electronically by using the available technology, or if there is no dissent, by the affirmation of the meeting.

### **20.4 Recorded vote**

If a demand is made at the meeting by the required number of Members the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered in to the minutes.

The required number of Members is:

- (a) one third of the Members entitled to vote at the meeting; or
- (b) where the authority is divided in to Political Groups, in accordance with the Local Government and Housing Act 1989, in the case of a meeting of the Council, such number as is equal to the number of Members of the second largest Political Group, and in the case of a meeting of a Committee or Sub-Committee the number of seats on that body allocated to the second largest Political Group among the Members of the Council, whichever is the less.

### **20.5 Right to require individual vote to be recorded**

Where any Member 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.

### **20.6 Voting on appointments**

Where a vote is required on a motion to appoint or elect a Member of the Council to a position to be filled by the authority and there are 2 or more Members nominated for that position, the names of all those nominated shall be put to the meeting in alphabetical order of surname. Those entitled to vote shall each vote for only one person. If there is not a majority of those voting in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on, until a majority of votes is given in favour of one person.

## **I COUNCIL PROCEDURE RULES**

### **21. MINUTES**

#### **21.1 Signing the minutes**

Minutes of a meeting of the Council shall be printed and a copy shall be sent to each Member of the Council at least 5 clear days before the meeting of Council at which such minutes are to be submitted for confirmation.

The Chair will sign the minutes of the proceedings at the next suitable meeting. The Chair will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy. If no question is raised, or as soon as any such question has been disposed of, the Chair shall sign the minutes.

#### **21.2 No requirement to sign minutes of previous meeting at extraordinary meeting**

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.

#### **21.3 Form of minutes**

Minutes will contain all motions and amendments in the exact form and order the Chair put them.

### **22. RECORD OF ATTENDANCE**

Every Member of the Council attending a meeting of the Council or of any of its Committees or Sub-Committees of which he/she is a Member shall sign his/her name in the attendance book or sheet provided for that purpose, and every Member attending some other meeting, conference or inspection on approved duty shall sign his/her name in the register kept for that purpose.

### **23. EXCLUSION OF PUBLIC**

Members of the public and press may only be excluded either in accordance with the Access to Information Rules in this Constitution or Rule 25 (Disturbance by Public).

# **I COUNCIL PROCEDURE RULES**

## **24. MEMBERS' CONDUCT**

### **24.1 Standing to speak**

When a Member speaks at full Council they must stand and address the meeting through the Chair. If more than one Member stands, the Chair will ask one to speak and the others must sit. Other Members must remain seated whilst a Member is speaking unless they wish to make a point of order or a point of personal explanation or are entering or leaving the room.

### **24.2 Chair standing**

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

### **24.3 Improper conduct**

If the Chair is of the opinion that a Member has persistently disregarded the ruling of the Chair by behaving improperly or offensively or deliberately obstructing the business, the Chair may notify the meeting of that opinion and may take any of the following courses of action, either separately or in sequence:

(i) Member Not to be Heard Further

Move that the Member be not heard further. If seconded, the motion will be voted on without discussion. If carried the Member shall not speak further at the meeting.

(ii) Member to Leave the Meeting

Move that the Member leaves the meeting. If seconded, the motion will be voted on without discussion. If carried, the Member named shall immediately leave the meeting.

(iii) Adjourn the Meeting

Adjourn the meeting for 15 minutes or such period as he/she considers appropriate.

(iv) Order Member to Leave/be Removed from the Meeting

Order the Member to leave the meeting or if necessary, the Member to be removed.



## **I COUNCIL PROCEDURE RULES**

### **24.4 General disturbance**

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

## **25. DISTURBANCE BY PUBLIC**

### Adjournment of Meeting

If proceedings are interrupted the Chair may adjourn the meeting for 15 minutes or for so long as he/she thinks necessary.

### **25.1 Removal of Member of the public**

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

### **25.2 Clearance of part of meeting room**

If there is a general disturbance in any part of the meeting room open to the public, the Chair may call for that part to be cleared.

## **26. SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES**

26.1 All of these Council Procedure Rules except Rule 1, 7-10, 20, 21.2, 22, 23, 30 and 33 may be suspended by motion on notice or without notice if at least one half of the whole number of Members of the Council are present. Suspension can only be for the duration of the meeting.

### **26.2 Amendment**

Except in the case of a recommendation from the Executive, the Standards Committee or the Overview Scrutiny Management Committee, any motion to add to, vary or revoke these Council Procedure Rules will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

## **27. APPLICATION TO COMMITTEES AND SUB-COMMITTEES**

All of the Council Procedure Rules apply to meetings of full Council. None of these Rules apply to meetings of the Executive. Rule 5, 7-11, 14-17 (but not Rule 14.2), 19-36 (but not Rule 24.1) apply to meetings of Committees and Sub-Committees.

## **I COUNCIL PROCEDURE RULES**

### **28. ADDITIONAL PROVISIONS FOR COMMITTEES AND SUB-COMMITTEES**

- 28.1 The Council may at any time resolve to appoint a Committee or Sub-Committee, and if so shall decide on the terms of reference, and the number of voting Members and may decide on the appointment and functions of non-voting Members and on the limitation of the powers of any such Committee to appoint Sub-Committees or Sub-Groups.
- 28.2. The Council may, subject to any statutory provision, or provision in this Constitution at any time resolve to dissolve a Committee or Sub-Committee or may amend resolutions made under rule 1.2.
- 28.3. Every Committee or Sub-Committee or other Sub-Group shall continue to discharge the functions committed to them until the Council resolve otherwise.
- 28.4. Subject to s.102(5) of the 1972 Act (Councillor not re-elected to cease to be a Member of a Committee) and 28.10 below every person appointed as a voting Member of a Committee or Sub-Committee (and every person appointed to exercise other functions in relation to a Committee or Sub-Committee) shall continue as such until the appointment is terminated by the Council.
- 28.5 The Chair of Council shall be entitled to attend and speak at any meeting of a Committee but not vote unless appointed as a voting Member.
- 28.6 A Member of the Council who is not otherwise entitled to attend and speak at a Committee, Sub-Committee or other Sub-Group shall be entitled to do so, but not to vote:
- (a) during the consideration of any motion of which notice has been given further to these rules which he/she has moved or seconded at a meeting of the Council and which has been referred to that Committee, Sub-Committee or other Sub-Group, or
  - (b) with the agreement of the Chair.
- 28.7 **Appointments to be politically proportional**
- Whenever:
- (a) the Council is required to review the allocation of seats on Committees between Political Groups, or
  - (b) the Council resolves to carry out such a review, or

## **I COUNCIL PROCEDURE RULES**

- (c) a Committee is required to review the allocation of seats on a Sub-Committee or other Sub-Group between Political Groups, or
- (d) a Committee resolves to carry out such a review

the Managing Director shall submit a report to the Council or Committee as the case may be showing what allocation of seats would in his/her opinion, best meet the requirements of section 15(4) of the Local Government and Housing Act 1989.

- 28.8 In the light of such a report as is mentioned in 28.7 the Council or Committee, as the case may be, shall determine the allocation of seats to Political Groups.
- 28.9 Whenever an appointment of a voting Member of a Committee or Sub-Committee or other Sub-Group falls to be made in accordance with the wishes of a Political Group to whom the seat has been allocated, and whenever such an appointment falls to be terminated in accordance with such wishes then the Council or the Committee, as the case may be, at a meeting at which the wishes of the Political Group are expressed, or at the next meeting after those wishes are expressed, or where there is a failure to express such wishes shall make or terminate the appointment accordingly.
- 28.10 Subject to the approval of the Council and to any resolutions by the Council every Committee may appoint Sub-Committees or other Sub-Groups for such purposes as they think fit, and may make arrangements for a Sub-Committee or other Sub-Group to discharge any of the functions of the authority which the Committee may discharge.

## **29. MEETINGS OF COMMITTEES AND SUB-COMMITTEES**

### **29.1 Time and place of ordinary meetings**

The Council at the Annual Meeting shall fix the date and time and place of Ordinary Meetings of Committees and may fix the date and time and place of Ordinary Meetings of Sub-Committees and other Sub-Groups.

- 29.2 If the Council do not fix the date, time or place of an Ordinary Meeting of a Committee, Sub-Committee or other Sub-Group then the relevant Committee may do so.
- 29.3 The Chair of a Committee or Sub-Committee or the Chair of Council may call an Extraordinary Meeting of a Committee or Sub-Committee at any time.

## **I COUNCIL PROCEDURE RULES**

29.4 The Chair of a Committee or Sub-Committee, or the Chair of Council, may if he/she considers it necessary (and after consultation so far as practicable with such persons as appear to him/her to be representative of the Political Groups to which seats on the Committee or Sub-Committee have been allocated) cancel a meeting of the Committee or Sub-Committee or may change any of the details of place, date or time already fixed for the meeting.

### **30 EXTRAORDINARY MEETING**

30.1 If a requisition for an Extraordinary Meeting of a Committee or Sub-Committee signed by at least 2 or one quarter of the total number of the voting Members of a Committee or Sub-Committee, whichever is greater, has been presented to the Chair, and

30.2 Where it is decided to call an Extraordinary Meeting of a Committee or Sub-Committee under 30.1 above, the Members calling the meeting shall tell the Managing Director they have done so, the business to be transacted and the date, time and place for which the meeting is called. The Managing Director shall then ensure that the necessary notices and summonses are sent out.

30.3 Any requisition under 30.1 may be presented by being left with the Managing Director.

30.4 All meetings of Committees and Sub-Committees shall be held, unless the relevant Committee, Sub-Committee or Managing Director otherwise directs, at the Mansion House, Doncaster.

### **31. COMMITTEE AGENDAS**

31.1. The agenda for every Committee or Sub-Committee meeting will:-

- (a) (i) receive declarations by Members of interests in matters to be considered at the meeting;
- (a) (ii) approve as a correct record the minutes of the last meeting;
- (b) receive items of business which are referred to the Committee or Sub-Committee by the Council or by another Committee or Sub-Committee.
- (c) receive reports submitted to the Committee or Sub-Committee by the Managing Director or any Strategic/Specialist Director or any other Director.
- (d) receive any item of business directed to be included by the Chair.

## **I COUNCIL PROCEDURE RULES**

### **32. DURATION OF MEETING**

- 32.1 Unless the majority of Members present vote for the meeting to continue, any meeting of a Committee or Sub-Committee which has continued for 3 hours shall adjourn and the matter then under discussion and all other business not yet considered shall be adjourned to a date to be fixed or to the next Ordinary Meeting.

### **33. QUORUM FOR COMMITTEES OR SUB-COMMITTEES**

- 33.1 The quorum of the Council in Committee shall be one third of the whole number of Members entitled to be present.
- 33.2 The quorum of a Committee shall be one quarter of the voting Members, and in any event no fewer than 3 voting Members.
- 33.3 The quorum of a Sub-Committee shall be 3 voting Members, except where the Membership of the Committee is 3 or fewer, in which case the quorum shall be 2 Members.

### **34. APPOINTMENT OF CHAIR & VICE-CHAIR**

- 34.1 Appointments of the Chair and Vice-Chair of a Committee shall be made by the Council or in default, by the Committee at its first meeting.
- 34.2 The Chair and Vice-Chair of a Sub-Committee shall be appointed at the Annual Council Meeting or at the first meeting of the Sub-Committee after the Annual Meeting of the Council, or by the Committee on the appointment of a Sub-Committee by a Committee.
- 34.3 The Chair, if present, shall preside at every meeting. In the absence of the Chair the Vice-Chair, if present, shall preside. In the absence of both Chair and Vice-Chair the Committee or Sub-Committee shall elect a Member of the Council from among their number to preside at the meeting.

### **35. URGENT DECISIONS**

- 35.1 The appropriate Director, Assistant Director or Head of Service may, in consultation with the Chair or Vice-Chair of the appropriate Committee or, in their absence, with the Chair or Vice-Chair of Council take action in matters of urgency.
- 35.2 In all cases a written record shall be made of the action taken, and the reason for urgency, the Director, Assistant Director or Head of Service taking such action and the Member consulted, and a copy shall be sent to the Managing Director.

## **I COUNCIL PROCEDURE RULES**

35.3 The Director, Assistant Director or Head of Service acting under 35.1. shall report such action to the first available meeting of the appropriate Committee or Sub-Committee.

### **36. INTERPRETATION AND APPLICATION**

36.1 The decision of the Chair of a meeting on the construction of these Council Procedure Rules and on any question of order not provided for in these rules shall be final.

36.2 In these Council Procedure Rules, unless the context otherwise requires the singular includes the plural and the masculine includes the feminine.