

# CURRENT RULE 11, 16 AND 18

## RULE 11

### NOTICES OF MOTION

- (1) Notice of every motion, other than a motion under Rule 12, shall be given in writing, signed by the Member or Members of the Council giving the notice and delivered by noon on the first working day of the week prior to the meeting at the office of the Chief Executive by whom it shall be dated and numbered in the order in which it is received and entered in a book which shall be open to the inspection of every Member of the Council.
- (2) The Chief Executive shall set out in the Agenda for every meeting of the Council all motions of which notice has been duly given in the order in which they have been received, unless the Member giving such a notice intimated in writing, when giving it, that s/he proposed to move it at some later meeting or has since withdrawn it in writing.
- (3) If a motion thus set out in the Agenda be not moved either by a Member who gave notice thereof or by some other Member on his/her behalf it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.
- (4) The Chief Executive, in consultation with the Chairman of the Council, shall decide whether the motion should be more appropriately referred to a Committee. Otherwise, motions will be dealt with at the Council meeting to which they are submitted.
- (5) Every notice of motion shall be relevant to some matter in relation to which the Council has powers or duties, or which affects the District.
- (6) A motion of which notice has been duly given in accordance with the foregoing shall not be amended or varied at any time except in accordance with the following:-

A Member who had given notice of the motion may, with the consent of the Council signified without discussion –

- (a) alter the motion; or
- (b) with the further consent of his/her seconder alter a motion which s/he has moved;

provided (in either case) the alteration is one which could be made as an amendment thereto.

- (7) A Member of the Council who has moved a motion which has been referred to any Committee shall have notice of the meeting of the Committee at which it is proposed to consider the motion. S/he shall have the right to attend the meeting and if s/he attends shall have an opportunity of explaining the motion.
- (8) The rules of debate, contained in Rule 16 shall, with any necessary modification, apply to this Rule.

## RULE 16

### RULES OF DEBATE FOR COUNCIL MEETINGS

- (1) A motion or amendment shall be stated and moved by the proposer thereof as soon as s/he indicates a wish to address the Council and before making any speech, and unless notice has already been given in accordance with Rule 11 it shall, if required by the Chairman, be put in writing and handed to the Chairman before it is further discussed or put to the meeting.
- (2) A Member when seconding a motion or amendment may, if s/he then declares his/her intention to do so, reserve his/her speech until any point later in the debate.
- (3) Where possible a Member when speaking shall stand and address the Chairman. If two or more Members rise, the Chairman shall call on one to speak; the other or others shall then sit. While a Member is speaking the other Members shall remain seated, unless rising to a point of order or in personal explanation.
- (4) A Member shall direct his/her speech to the question under discussion or to a personal explanation or to a point of order. Except with the consent of the Council **a Member moving a motion (other than a motion under paragraph (13) of this Rule) shall be entitled to speak for not more than ten minutes, but, except as aforesaid, no Member shall speak for more than five minutes.**
- (5) A Member who has spoken on any motion shall not speak again whilst it is the subject of debate, except:-
  - (a) to speak once on an amendment moved by another Member;
  - (b) if the motion has been amended since s/he last spoke, to move a further amendment;
  - (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 s/he spoke was carried;
  - (d) in exercise of a right of reply given by paragraph (11) or (13) of this Rule;
  - (e) on a point of order; and
  - (f) by way of personal explanation.
- (6) An amendment shall be relevant to the motion and shall be either:-
  - (a) to refer a subject of debate to a Committee for consideration or reconsideration;
  - (b) to leave out words;
  - (c) to leave out words and insert or add others;
  - (d) to insert or add words;

but such omission, insertion or addition of words shall not have the effect of negating the motion before the Council.

- (7) Only one amendment may be moved and discussed at a time and no further amendment shall be moved until the amendment under discussion has been disposed of, providing that the Chairman may permit two or more amendments to be discussed (but not voted on) together if circumstances suggest that this course would facilitate the proper conduct of the Council's business.
- (8) If an amendment be lost, other amendments may be moved on the original motion. If an amendment be carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.
- (9) A Member may, with the further consent of his/her seconder and with the consent of the Council, alter a motion which s/he has moved provided the alteration is one which could be made as an amendment thereto.
- (10) A motion or amendment may be withdrawn by the mover with the consent of his/her seconder and of the Council, which shall be signified without discussion, and no Member may speak upon it after the mover has asked permission for its withdrawal, unless such permission shall have been refused.
- (11) The mover of a motion has a right of reply at the close of the debate on the motion, immediately before it is put to the vote but be time limited to five minutes. If an amendment is moved, the mover of the original motion shall also have the right of reply at the close of the debate on the amendment, and shall not otherwise speak on the amendment. The mover of the amendment shall have no right of reply to the debate on his/her amendment.
- (12) When a motion is under debate no other motion shall be moved except the following:-
  - (a) to amend the motion;
  - (b) to adjourn the meeting;
  - (c) to adjourn the debate;
  - (d) to proceed to the next business;
  - (e) that the question be now put;
  - (f) that a Member be not further heard;
  - (g) by the Chairman under Rule 21(2) that a Member do leave the meeting;
  - (h) a motion under Section 100(A)(4) of the Local Government Act 1972 to exclude the public;
  - (i) to postpone consideration of the motion.
- (13) Subject to the provisions of paragraph (5) of this Rule and paragraph (3) of Rule 33, a Member may move without comment at the conclusion of a speech of another Member, "That the Council proceed to the next business", "That the question be now put", "That the debate be now adjourned", or "That the Council do now adjourn", on the seconding of which the Chairman shall proceed as follows:-
  - (a) on a motion to proceed to next business; unless in his/her opinion the matter before the meeting has been insufficiently discussed s/he shall first give the mover of the

original motion a right of reply and then put to the vote the motion to proceed to next business;

- (b) on a motion that the question be now put; unless in his/her opinion the matter before the meeting has been insufficiently discussed s/he shall first put to the vote the motion that the question be now put and if it is passed then proceed in accordance with paragraph (11) of this Rule;
  - (c) on a motion to adjourn the debate or the meeting; if in his/her opinion the matter before the meeting has not been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion s/he shall put the adjournment motion to the vote without giving the mover of the original motion his/her right of reply on that occasion.
- (14) A Member may rise on a point of order or in personal explanation and shall be entitled to be heard forthwith. A point of order shall relate only to an alleged breach of a Rule or statutory provision and the Member shall specify the Rule or statutory provision and the way in which s/he considers it has been broken. A personal explanation shall be confined to some material part of a former speech by him in the present debate which may appear to have been misunderstood.
- (15) The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be open for discussion.
- (16) Whenever the Chairman rises during a debate a Member then standing shall resume his/her seat and the Council shall be silent.
- (17) Smoking shall not be permitted.
- (18) This Rule, except those parts which relate to standing and speaking more than once, shall, with any necessary modification, also apply to Committee and Sub-Committee meetings.

## **RULE 18**

### **PETITIONS**

- (1) Any member of the public may ask to present a petition, either electronically or in paper form, signed by at least 25 residents other than Members of the Council. It must be relevant to some matter in relation to which the Authority has functions, or which affects the area of the Authority or part of it, or the inhabitants of that area or some of them. Subject to the provisions of the Petitions Scheme governing responses to ordinary petitions, the Group Leaders shall determine which ordinary petitions shall be presented to a Committee or to Council. A petition which asks for the Chief Executive or a Director to give evidence to a public meeting of a Committee must have a minimum of 100 signatures. A planning or licensing objection signed by more than 25 residents should not be deemed a petition for the purpose of this Rule. The Chairman and Spokespersons of Planning or Licensing Committee (as appropriate) shall be notified of its receipt and can exercise their right to require the matter to be determined by the appropriate Committee.
- (2) The terms of the petition and signatures shall be submitted in writing by noon on the Monday of the week prior to the meeting.

- (3) A maximum of three petitions shall be received at any meeting. Petitions shall be taken in the order of receipt.
- (4) The Group Leaders will determine which petitions should be presented to a Committee and will have discretion over where a petition should go, to ensure that it goes to the most appropriate committee. Exceptionally, a petition might be referred to Council. The title and subject matter of every petition received will be included on the agenda for the relevant Committee. The agenda will also indicate how petitions not being received at that meeting will be progressed.
- (5) One representative of the petitioners shall be allowed to address the meeting **for not more than three minutes**.
- (6) After the petition has been presented, the appropriate Member shall have the right to respond. The response shall be limited to no more than three minutes.
- (7) Except in extraordinary circumstances notified to the Chairman prior to the meeting, members of the public may not ask questions or make statements in relation to the subject matter of the petition. No member of the public may speak more than once and no speech shall last longer than three minutes.
- (8) A decision will be made on how to respond to the petition and a written reply with details of any action proposed will be sent to the representative of the petitioners.
- (9) No petition shall be considered within six months of a petition with the same or likewise objective.
- (10) **E-Petitions**
  - (a) E-Petitions, created and submitted through the Council's website, shall follow the same guidelines as paper petitions, as above.
  - (b) The petition organiser shall provide his/her name, postal address and email address.
  - (c) The E-Petition shall remain open for a maximum of three months.