

COMMITTEE PROCEDURE RULES (CMR)

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COMMITTEE PROCEDURE RULES (CMR)

CMR1 ANNUAL MEETING OF COMMITTEES

CMR1.1 Timing and business

The annual meeting will:

- (i) elect a person to chair the committee for the ensuing municipal year;
- (ii) elect a person to be vice-chair of the committee for the ensuing municipal year (if appropriate);
- (iii) establish any sub-committees considered necessary including:
 - determining the membership of the sub-committee; and
 - agreeing the terms of reference of the sub-committees;
- (v) approve the minutes of the last meeting;
- (vi) receive any declarations of interest from councillors;
- (vii) receive any announcements from the chair; and
- (viii) consider any business set out in the notice convening the meeting.

CMR2 ORDINARY MEETINGS

CMR2.1 Ordinary meetings

- (1) Ordinary meetings will:
 - (i) elect a person to preside if the chair (and vice chair, if appointed) are not present;
 - (ii) approve the minutes of the last meeting;
 - (iii) receive any declarations of interest from members ;
 - (iv) receive any announcements from the chair;

- (v) receive petitions, questions (and provide answers) and statements from local residents;
- (vi) receive petitions, questions (and provide answers) and statements from members of council;
- (vii) receive reports on any matter which is within the committee's general remit; and
- (viii) consider any other business which the chair has agreed is urgent.
- (ix) receive whipping declarations (in accordance with OSR17).

CMR3 EXTRAORDINARY MEETINGS

CMR3.1 Calling extraordinary meetings

Those listed below may request the proper officer to call committee meetings in addition to ordinary meetings:

- (i) the committee by resolution;
- (ii) the chair;
- (iii) the proper officer; and
- (iv) any two members of the relevant committee, if they have signed a requisition presented to the chair and the chair has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

CMR3.2 Business

The agenda for an extraordinary meeting will specify the matters that the meeting will deal with. Petitions, questions and statements will be accepted only if they relate to the business for which the extraordinary meeting has been arranged.

CMR4 APPOINTMENT OF SUBSTITUTE MEMBERS OF COMMITTEES

CMR4.1 Powers and duties

Substitute members will have all the powers and duties of any ordinary member of the committee but will not be able to exercise any special powers or duties exercisable by the person they are substituting.

CMR4.2 Substitution

Substitute members may attend meetings in that capacity only:

- (i) to take the place of the ordinary councillor for whom they are the designated substitute;
- (ii) where the ordinary member of council will be absent for the whole of the meeting;

CMR5 TIME AND PLACE OF MEETINGS

The time and place of meetings will be determined by the proper officer notified in the summons. The place and time of meetings can be varied by the proper officer in consultation with the Lord Mayor, the Mayor and Leaders of each of the Council's political groups.

CMR6 NOTICE OF AND SUMMONS TO MEETINGS

The proper officer will give notice to the public of the time and place of any meeting in accordance with the **Access to Information Rules (APR)**. At least five clear working days before a meeting, the proper officer will send a summons signed by them by post or email to every councillor or leave it at their usual place of residence. 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.

Notice required - 5 clear working days

CMR7

CHAIR OF MEETING

The person presiding at the meeting (where this is not the person appointed at the annual meeting as chair) may exercise any power or duty of the chair.

**CMR8
QUORUM**

The quorum for meetings will be as indicated on the table below. During any meeting if the chair counts the number of Councillors present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the chair. If a date is not fixed, the remaining business will be considered at the next ordinary meeting.

Committee Size	Quorum
25 - 30	8
21 - 24	7
16 - 20	6
13 - 15	5
10 - 12	4
7 - 9	3
3 - 6	2

**CMR9
PETITIONS, QUESTIONS AND STATEMENTS**

**CMR9.1
General**

Petitions and statements
Further details of the Council’s petition scheme is set out in part 4.1 (I) of the Constitution.

- (a) Save for the exceptions in CMR9.10, members of the public and members of council, provided they give notice in writing or by electronic mail to the proper officer (and include their name and address and details of the wording of the petition, and in the case of a statement, a copy of the submission), by no later than 12 noon of the working day before the meeting, may present a petition or submit a statement at ordinary meetings of the committee. The petition or statement must relate to the terms of reference and role and responsibility of the committee in question.

Notice required - 12 noon on the working day before the meeting

- (b) Save for committees established to determine planning applications, the total time allowed for dealing with petitions, statements (including questions under CMR 9.2 below) is thirty minutes.

Time limit - 30 minutes

(c) Persons presenting petitions may be required to read out the objectives of the petition.

(d) Statements, provided they are of reasonable length, will be copied and circulated to all members and will be made available to the public attending the meeting by no later than one hour before the meeting.

Time limit 1 hour before the meeting

(e) Save for committees established to determine planning applications, there will be no debate but after receiving the petition / statement the committee will resolve;

(1) *“that the petition / statement be noted”*; or

(2) if the content relates to a matter on the agenda for the meeting:

“that the contents of the petition / statement be considered when the item is debated”; or

(3) *“that the petition / statement be referred (as appropriate) to the:*

- *Mayor; or the*
- *relevant executive member*

for appropriate action.”

Variations - committees established to determine planning applications (development control committees):

(f) Petitions / statements relating to planning applications to be determined at the meeting will be received at the time the item is determined. There will be no discussion on the submissions, but the committee will consider the issues as the item is debated.

Questions

(g) Questions by members of the public or members of council may be asked of the chair of the committee and/or Executive Member.

CMR9.2

Order of questions

Questions will be asked in the order that they were received, except that the chair may group together similar questions.

CMR9.3

Notice of questions

(a) A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the proper officer no later than three clear working days before the day of the meeting.

Notice required - 3 clear working days before the meeting

(b) Late urgent questions **may** be asked of the chair of the committee provided:

- the question relates to urgent matters; and
- the consent of the chair has been obtained; and
- the content of the question has been given to the proper officer by no later than **two hours** before the meeting on the day of the meeting.

Notice required - 2 hours before the meeting

CMR9.4

Number of questions

There will be no limit to the number of questions asked.

CMR9.5

Scope of questions, statements and petitions

The chair in consultation with the proper officer may reject a question, statement or petition if it:

- is not about a matter for which the committee has a responsibility;
- is defamatory, frivolous or offensive, or
- requires the disclosure of confidential or exempt information

Rejected questions will be resent to the questioner and include reasons for rejection.

CMR9.6

Record of questions

The proper officer will enter each question in a book open to public inspection and will immediately send a copy of the question to the chair of the relevant committee. . Copies of all questions will be circulated to all members of the relevant committee and will be made available to the public attending the meeting, by no later than one hour before the meeting.

Time limit - 1 hour before the meeting

CMR9.7

Supplementary questions

A questioner who has put a question in person may also put without notice, one supplementary question to the chair. A supplementary question must arise directly out of the original question or the reply. The chair may reject a supplementary question on any of the grounds in CMR9.5 (scope of questions) above.

CMR9.8 Response

(1) Replies to questions (*for which three clear working days' notice has been given*) will be available **one hour** before the meeting

Time limit - 1 hour before the meeting

(2) Oral answers will be given to urgent questions asked under CMR9.3 (b) (notice of questions).

CMR9.9 Exceptions

CMR9.1 - CMR9.8, will **not** apply to committees established to deal with:

- the appointment or dismissal of first and second tier officers;
- appeals; or
- business (referred to it by the Full Council) which would normally be dealt with by the Full Council, (e.g. the Outside Bodies Committee).

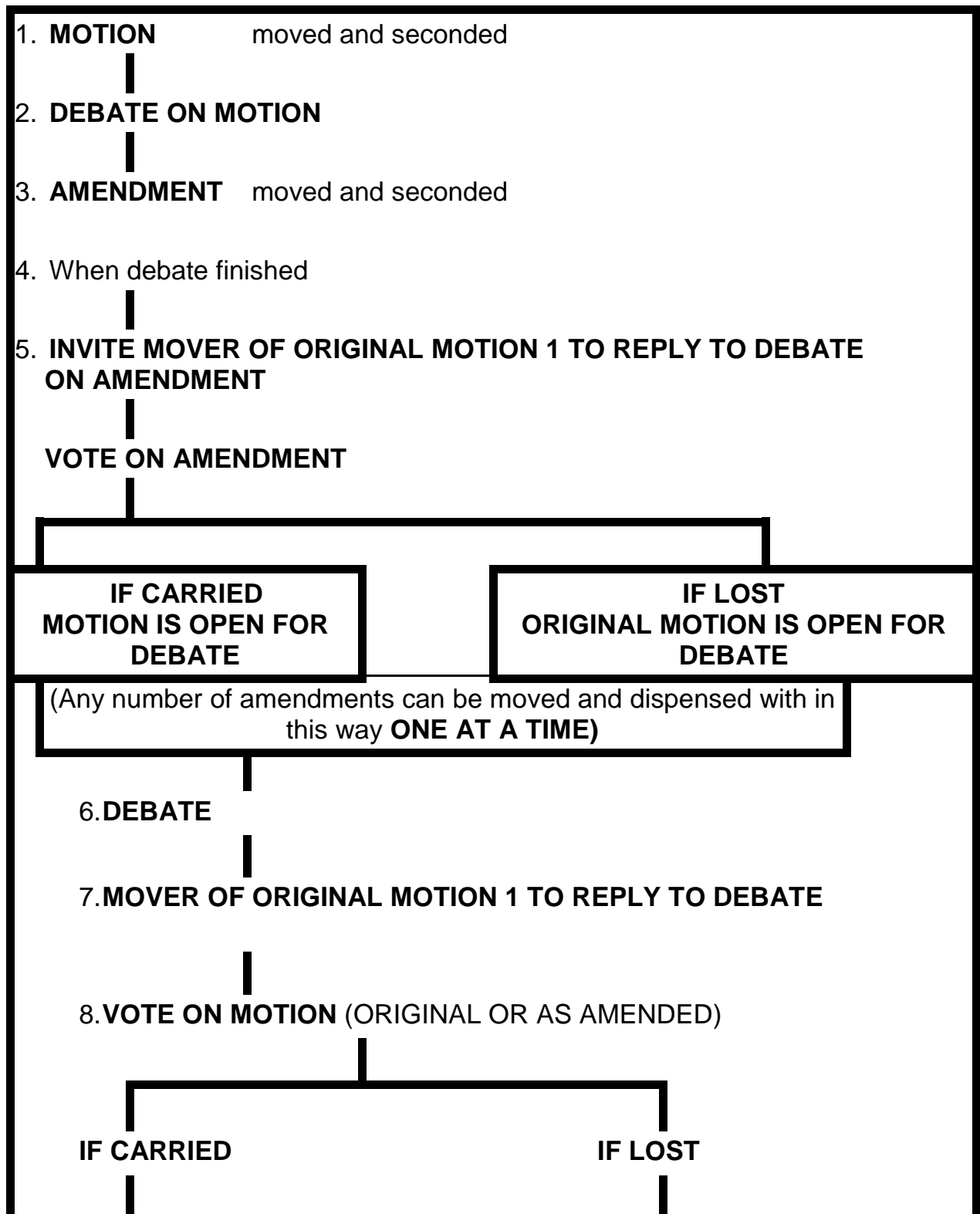
CMR10 MOTIONS WITHOUT NOTICE

The following motions may be moved without notice:

- (a) 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 sub-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) to suspend a particular **Committee Procedure Rule** (CMR);
- (n) to exclude the public and press in accordance with the **Access to Information Rules** (APR);
- (o) to not hear further a member or co-optee named under CMR 16.3 or to exclude them from the meeting under CMR 16.4; and
- (p) to give the consent of the council where its consent is required by this constitution.

**CMR11
RULES OF DEBATE**

Simplified diagram showing how decisions might be reached



9. DECISION

NO DECISION

Matter open for further proposal or stands as **NO DECISION** item

CMR11.1

No debate until motion or amendment is seconded

A motion or an amendment may be debated only after it has been seconded by another Councillor.

CMR11.2

Right to require motion or amendment in writing

Unless notice of the motion or amendment has already been given, a signed copy of the motion must be put in writing and handed to the proper officer either before it is moved or immediately after it is moved. (See also CMR11.6 (f) re. amendments).

CMR11.3

Secunder's speech

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

CMR11.4

Content of speeches

Speeches must be directed to the question under discussion or to a personal explanation or point of order.

CMR11.5

When a Councillor may speak again

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

- (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.

CMR11.6

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 words as long as the effect of (ii) to (iv) is not to negate the motion.
- (b) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- (c) If an amendment is not carried, other amendments to the original motion may be moved.
- (d) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- (e) After an amendment has been carried, the chair will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.
- (f) A signed copy of the amendment must be given to the proper officer either before it is moved or immediately after it has been moved.

CMR11.7

Alteration of a motion

- (a) A member may alter a motion (of which they have given notice) with the consent of the meeting. The consent of the meeting will be signified without discussion.
- (b) A member may alter a motion (which they have moved) without notice with the consent of both the meeting and the seconder. The consent of the meeting will be signified without discussion.
- (c) Only alterations which could be made as an amendment may be made.

CMR11.8

Withdrawal of motion

A member may withdraw a motion (they have moved) with the consent of both the meeting and the seconder. The consent of the meeting 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.

CMR11.9

Right of reply

- (1) 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.
- (2) 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.
- (3) The mover of the amendment has no right of reply to the debate on their amendment.

CMR11.10

Motions which may be moved during debate

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

- (a) to amend a motion;
- (b) that the question be now put;
- (c) to adjourn a debate;
- (d) to adjourn a meeting;
- (e) to exclude the public and press in accordance with the **Access to Information Rules**; and
- (f) to not hear further a member or co-optee named under CMR 16.3 or to exclude them from the meeting under CMR 16.4.

CMR11.11

Closure motions

- (a) A member may move, without comment, the following motions at the end of a speech of another member:
 - (i) that the question be now put;
 - (ii) to adjourn a debate; or
 - (iii) to adjourn a meeting;

- (b) if a motion *“that the question be now put”* is seconded and the chair considers the item has been sufficiently discussed, the procedural motion will be put to the vote. If it is passed the chair will give the mover of the original motion a right of reply before putting their motion to the vote; or
- (c) If a motion *“to adjourn the debate”* or *“to adjourn the meeting”* is seconded and the chair thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, the procedural motion will be put to the vote without giving the mover of the original motion the right of reply.

CMR11.12

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 **Committee Procedure Rules** (CMR) or the law. The member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the chair on the matter will be final.

CMR11.13

Personal explanation

A member may make a personal explanation at any time. A personal explanation should relate to an action or statement of the Councillor which may appear to have been misunderstood. The ruling of the chair on the admissibility of a personal explanation will be final.

CMR12

PREVIOUS DECISIONS AND MOTIONS

CMR12.1

Motion to rescind a previous decision

A motion to rescind a decision (made at a meeting of a committee within the past six months) cannot be moved unless:

- (a) written notice of the motion has been supplied to the proper officer before the rising of the meeting of the committee at which the original motion has been passed; and
- (b) oral notice has been given to the chair during the meeting of the committee at which the original motion was passed (and then placed in writing to the proper officer within fifteen minutes of the end of the rising of that committee meeting).

Notice required 15 minutes

CMR12.2

Motion similar to one previously rejected

A motion in similar terms to one that has been rejected at a meeting of the committee in the past six months cannot be moved unless the notice of motion is given in accordance with CMR 12.1 (motion to rescind a minute) above. Once the motion is dealt with, no one can propose a similar motion for six months.

CMR13

VOTING

CMR13.1

Majority

Any matter will be decided by a simple majority of those members voting and present *at the time the question was put.

**see also - OSR 4- Education representatives*

CMR13.2

Chair's casting vote

If there are equal numbers of votes for and against, the chair will have a second or casting vote.

CMR13.3

Recorded vote

If two or more members present at the meeting immediately demand it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes.

CMR13.4

Right to require individual vote to be recorded

[This rule cannot be suspended]

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.

CMR13.5

Voting on appointments

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.

If there are two people nominated then there will be a vote and the person with the majority of votes will be elected.

CMR14

MINUTES

CMR14.1

Signing of the minutes

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 the accuracy.

CMR14.2

No requirement to sign minutes of previous meeting at extraordinary meeting

[This rule cannot be suspended]

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.

CMR14.3

Form of minutes

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

CMR15

EXCLUSION OF PUBLIC

Members of the public and press may only be excluded either in accordance with the **Access to Information Rules** (APR) in part 4 of this constitution or CMR 17 (disturbance by public).

CMR16 MEMBERS' AND CO-OPTees' CONDUCT

CMR16.1 Speaking at committees

When a member or a co-optee speaks at the committee they must address the meeting through the chair. If more than one Councillor or a co-optee seeks to speak, the chair will ask one to speak. Other members and co-optees must remain silent whilst a member is speaking unless they wish to make a point of order or a point of personal explanation.

CMR16.2 Chair's Ruling

When the chair so requires during a debate, any member or cooptee speaking at the time must stop. The meeting must be silent.

CMR16.3 Member or Co-optee not to be heard further

If a member or co-optee persistently disregards the ruling of the chair by behaving improperly or offensively or deliberately obstructs business, the chair may move that the member be not heard further. If seconded, the motion will be voted on without discussion.

CMR16.4 Member or Co-optee to leave the meeting

If the member or co-optee continues to behave improperly after such a motion is carried, the chair may move that either the member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

CMR16.5 General disturbance

If there is a general disturbance making orderly business impossible, the chair may adjourn the meeting for as long as they consider necessary.

CMR 17 DISTURBANCE BY PUBLIC

CMR17.1 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.

CMR17.2 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.

CMR18 SUSPENSION AND AMENDMENT OF COMMITTEE PROCEDURES RULES

CMR18.1 Suspension

All of these **Committee Procedure Rules** (CMR) except CMR 13.4* and 14.2* may be suspended by motion on notice or without notice if at least one half of the whole number of members are present. Suspension can only be for the duration of the meeting.

** CMR 13.4 - Right to require and individual vote to be recorded
CMR 14.2 - No agreement to sign minutes of previous meeting if extraordinary.*

CMR18.2 Amendment

Any motion to add to, vary or revoke these **Committee Procedure Rules** (CMR) will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the committee.