

COUNCIL PROCEDURE RULES (CPR)

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CPR1 ANNUAL MEETING OF THE FULL COUNCIL

CPR1.1 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 commence at 2.00 p.m.

The annual meeting will:

- (i) elect a person to preside if the Lord Mayor is not present;
- (ii) elect the Lord Mayor ;
- (iii) elect the deputy Lord Mayor;
- (iv) deal with any other civic business
(for example appointment of honorary aldermen);
- (v) approve the minutes of the last meeting;
- (vi) receive any declarations of interest from members of council;
- (vii) receive any announcements from the Lord Mayor and / or head of paid service;
- (viii) note any appointment of Cabinet (Executive) Members and/or Deputy Mayor made by the Mayor;
- (ix) appoint at least one overview and scrutiny committee, and such other committees as the council considers appropriate to deal with matters which are neither reserved to the full Council nor are executive functions (as set out in part 3, of this constitution);
- (x) agree the scheme of delegation (or such part of it) as the constitution determines it is for the full Council to agree (as set out in part 3 of this constitution);
- (xi) approve a programme of ordinary meetings of the full Council for the year including a meeting to determine the budget and policy framework; and
- (xii) consider any business set out in the notice convening the meeting.

CPR1.2

Selection of members of council on committees

At the annual meeting, the full Council 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 to political groups in accordance with the political balance rules; and
- (iv) receive nominations of members of council to serve on each committee.

CPR2

ORDINARY MEETINGS (including a meeting to determine the budget)

CPR2.1

Ordinary meetings

- (1) Ordinary meetings of the Full Council (including a meeting to determine the budget) will take place seven times each year in accordance with a programme decided at the annual meeting.
- (2) Ordinary meetings (except the meeting to determine the budget) (total time limit two hours 30 minutes excluding time taken for refreshments), unless otherwise agreed by the Lord Mayor at Agenda set, will:
 - (i) elect a person to preside if the Lord Mayor and Deputy Lord Mayor are not present;
 - (ii) approve the minutes of the last meeting;
 - (iii) receive any declarations of interest from members of council
 - (iv) receive any announcements from the Lord Mayor, Mayor, members of the executive or the Head of Paid Service;
 - (v) receive petitions, statements and questions (and provide answers) from members of the public.

Time limit - 30 minutes
 - (vi) receive petitions from members of council.

Time limit - 10 minutes
 - (vii) receive any other business which the Lord Mayor accepts as urgent;

- (viii) a statement from the Youth Council/Youth Mayors
- (ix) a progress report from Mayoral Commissions for information.
- (x) receive reports from the executive;

Time limit - 20 minutes

- (xi) receive reports from council committees;

Time limit - 1 hour

- (xii) receive reports on the business of joint arrangements and external organisations;

- (xiii) consider motions; and

Time limit - 30 minutes

- (xiv) consider any other business specified in the summons to the meeting.

CPR3 EXTRAORDINARY MEETINGS

CPR3.1 Calling extraordinary meetings

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

- (i) the Full Council by resolution;
- (ii) the Lord Mayor;
- (iii) the proper officer; and
- (iv) any five members of council if they have signed a requisition presented to the Lord Mayor and 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.

CPR3.2 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.

CPR4 TIME AND PLACE OF MEETINGS

The time and place of meetings will be determined by the proper officer notified in the summons, Start times will generally be either 14:00 or 18:00.

CPR5 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 six clear working days before a meeting, the proper officer will email a summons to every member of council. 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 - 6 clear working days

CPR6 CHAIR OF MEETING

The person presiding at the meeting may exercise any power or duty of the Lord Mayor. Where these rules apply to committee and sub-committee meetings, references to the Lord Mayor also include the chair of committees and sub-committees.

CPR7 QUORUM

The quorum for full Council is 18. During any meeting if the Lord Mayor counts the number of members 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 Lord Mayor. If a date is not fixed, the remaining business will be considered at the next ordinary meeting.

CPR8 DURATION OF MEETING

CPR8.1 Interruption of the meeting

If the business of the meeting has not been concluded within two hours 30 minutes (excluding time taken for refreshments), a bell will be rung and the member of council speaking must immediately sit down. The Lord Mayor must interrupt the meeting and call for the vote if appropriate immediately on the item under discussion. The vote will then be taken in the usual way

without any further discussion.

CPR8.2

Motions and recommendations not dealt with

If there are other motions or recommendations on the agenda that have not been dealt within two hours 30 minutes, they will be deemed to fall.

The Council will continue with the 'golden motion' process whereby the first motion to be debated will rotate between the political groups with the allocation of golden motions over the municipal year being politically proportionate to the Full Council membership. Other motions may be debated subject to the 30 minute time allocation. This 'silver motion' will be determined by a ballot operated by the Proper Officer prior to the publication of the agenda and will not include members of the party with the golden motion.

Any other motions received will be itemised on the agenda with an explanatory note that they are unlikely to be reached within the available time. The time limit for debating motions is 30 minutes.

CPR8.3

Recorded vote

If a recorded vote is called for during this process it will be taken immediately.

CPR8.4

Motions which may be moved

During the process set out in CPR8.1, 8.2 and 8.3 above, the only other motions which may be moved are:

- (i) that a matter be withdrawn; or
- (ii) that a matter be delegated or referred to an appropriate body or individual for decision or report.

CPR8.5

Close of the meeting

When the time limit for the meeting has been reached, the Lord Mayor will declare the meeting closed and any motions and recommendations which have not been dealt with will fall.

CPR9

PETITIONS, QUESTIONS AND STATEMENTS

(This rule does not apply at a meeting to determine the budget)

CPR9.1 General

Public Petitions and statements

- (a) Members of the public who live or own a business in Bristol, provided they give notice in writing or by electronic mail to the proper officer by no later than 12 noon two working days before a meeting, may present a petition or submit a statement at ordinary meetings of the full Council. The following applies:
- i. Submissions must include the name and address of the member of the public along with details of the wording of the petition, and in the case of a statement, a copy of the submission.
 - ii. One statement per member of the public shall be admissible
 - iii. A maximum of one minute shall be permitted for the presentation of each petition and statement.

Notice required - 12 noon two working days before the meeting

- (b) The total time allowed for dealing with petitions, statements (including questions under CPR 9.1g below) is thirty minutes. Petitions will be addressed in priority to statements and questions.

Time limit - 30 minutes

- (c) Persons presenting petitions will be required to read out the objectives of the petition. A written reply will be provided to the lead petitioner within 10 working days following the Council meeting.
- (d) Statements, provided they are of reasonable length, will be copied and circulated to all members of council and published on the website. If requested, a written reply will be provided within 10 working days following the Council meeting.
- (e) There will be no debate but after receiving a petition with less than 3500 signatures / statement the Lord Mayor will refer the petition / statement for further consideration to the relevant executive member, committee or officer of any other person he or she considers appropriate.
- (f) Where a petition has more than 3500 signatures then the petition will be debated by Council if the petition organiser so requests. The Monitoring Officer will ensure that an appropriate signature verification process takes place before a petition debate is scheduled.

Public Questions

- (g) Questions by members of the public may be asked of the Mayor and Executive Members;

CPR9.2

Order of questions

Questions will be listed in the order received, except that the Lord Mayor may group together similar questions and determine whether to take a limited number of supplementary questions

CPR9.3

Notice of questions

- (i) 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. Each question must give the name and address of the questioner and must identify the person to whom it is to be put.

Notice required - 3 clear working days before the meeting

- (ii) Late urgent questions **may** be asked provided:
 - (a) the question relates to urgent matters; and
 - (b) the consent of the Lord Mayor has been obtained; and
 - (c) 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

CPR9.4

Number of questions

A member of the public may ask a maximum of two questions

CPR9.5

Scope of questions, statements and petitions

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

- (i) is not about a matter for which the local authority has a responsibility or which directly affects the city;

- (ii) is defamatory, frivolous or offensive;
- (iii) requires the disclosure of confidential or exempt information.

CPR9.6

Record of questions

The proper officer will record each question in a format 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 will be circulated to all members and will be made available to the public attending the meeting, by not later than one hour before the meeting.

CPR9.7

Supplementary questions

A questioner who has put a question in person may also put without notice, one supplementary question to the Mayor or Executive Member who has replied to their original question. A supplementary question must arise directly out of the original question or the reply. The Lord Mayor may reject a supplementary question on any of the grounds in CPR9.5 (scope of questions) above. A maximum of two supplementary questions may be asked by a member of the public, one supplementary question is permitted per original question asked.

CPR9.8

Response

- (1) Replies to questions will be given verbally. All questions (including questions not reached due to lack to time) will also receive a written reply after the meeting.

Time limit – 10 working days following the meeting

- (2) Oral answers will be given to urgent questions asked under CPR9.3 (ii) (notice of questions).

CPR 9.9

MEMBER PETITIONS

Upon the conclusion of the public petitions questions and statements the Council shall receive petitions from Members of Council. The rules in respect of public petitions shall apply equally to those presented by Members of Council.

CPR10

MOTIONS ON NOTICE

CPR10.1 Notice

Except for motions which can be moved without notice under CPR11, written notice of every motion must be delivered to proper officer not later than **seven clear working days** before the date of the meeting. These will be entered in a book open to public inspection.

Notice required - 7 clear working days

CPR10.2 Motion set out in agenda

- (1) Motions for which notice has been given will be listed on the agenda in the order in which the notice was received, unless the member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.
- (2) Where notice of motions has been given in accordance with the above rule, at the meeting, the Lord Mayor (at their discretion) may allow the motion to be moved by another member.

CPR10.3 Scope

Motions must be about matters for which the council has a responsibility or which directly affect the city of Bristol.

CPR11 MOTIONS WITHOUT NOTICE

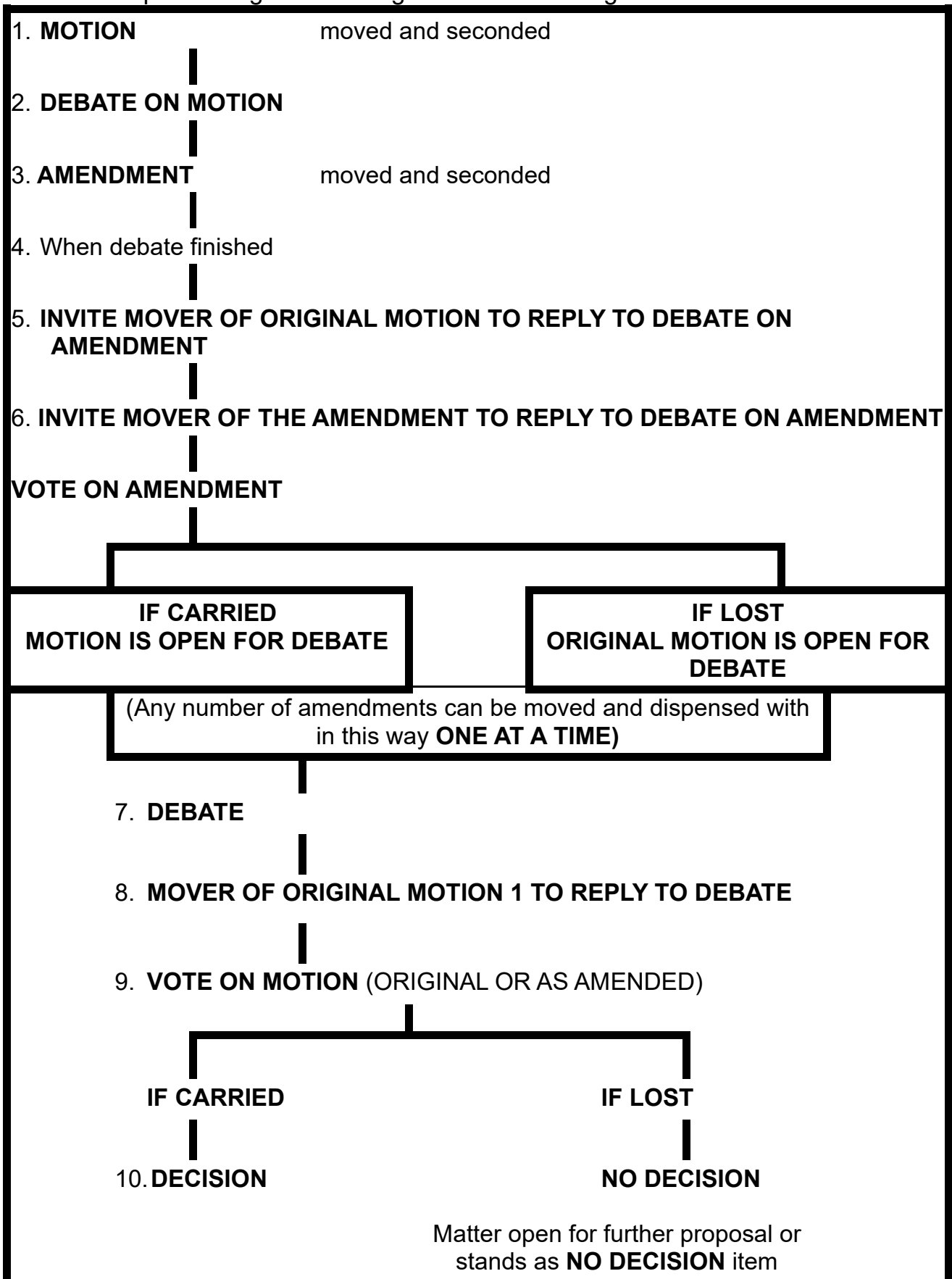
The following motions may be moved without notice:

- (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 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 two hours 30 minutes in duration, excluding time taken for refreshments.
- (n) to suspend a particular Council Procedure Rule (CPR);
- (o) to exclude the public and press in accordance with the Access to Information Rules (APR);
- (p) to not hear further a councillor named under CPR 17.3 or to exclude them from the meeting under CPR 17.4; and
- (q) to give the consent of the council where its consent is required by this constitution.

**CPR12
RULES OF DEBATE**

Simplified diagram showing how decisions might be reached



CPR12.1

No debate until motion or amendment is seconded

A motion or an amendment may be debated only after it has been seconded by another member of council. If a report is only for noting, a seconder is not required.

CPR12.2

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 sent electronically to the proper officer either before it is moved or immediately after it is moved. (See also CPR12.6 (g) re. amendments)

CPR12.3

Secunder's speech

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

Time limit - 3 minutes

CPR12.4

Content and length of speeches

(These time limits do not apply at a meeting to determine the budget)

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech moving a substantive motion may exceed **three minutes** and no other speech shall last more than **three minutes from each speaker**.

Time limit - 3 minutes for moving a motion

Time limit - 3 minutes for individual speeches

CPR12.5

When a Councillor may speak again

A member of council 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 (see CPR 12.13).

CPR12.6

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.
- (v) an amendment must not:
 - 1) be a direct negative of a motion or;
 - 2) seek to introduce into the motion a new issue unrelated to the subject dealt with in 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) 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.

CPR12.7

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.

CPR12.8

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.

CPR12.9

Right of reply

- (1) The mover of the amendment has a right of reply to the debate on their amendment.
- (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 a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.

CPR12.10

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) that the meeting continue beyond two hours 30 minutes in duration;
- (f) to exclude the public and press in accordance with the **Access to Information Rules**; and

- (g) to not hear further a member named under CPR17.3 or to exclude them from the meeting under CPR17.4.

CPR12.11

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 Lord Mayor considers the item has been sufficiently discussed, the procedural motion will be put to the vote. If it is passed the Lord Mayor will give the mover of the original motion a right of reply before putting their motion to the vote.
- (c) If a motion “*to adjourn the debate*” or “*to adjourn the meeting*” is seconded and the Lord Mayor 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.

CPR12.12

Point of order

A member may raise a point of order at any time. The Lord Mayor will hear them immediately. A point of order may only relate to an alleged breach of these **Council Rules of Procedure** (CPR) 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 Lord Mayor on the matter will be final.

CPR12.13

Personal explanation

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

CPR13

PREVIOUS DECISIONS AND MOTIONS

CPR13.1

Motion to rescind a previous decision

A motion to rescind a decision (made at a meeting of the full Council 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 full Council at which the original motion has been passed; and
- (b) oral notice has been given to the Lord Mayor during the meeting of the full Council 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 full Council meeting).

Note required 15 minutes after meeting

CPR13.2

Motion similar to one previously rejected

A motion in similar terms to one that has been rejected at a meeting of the full Council in the past six months cannot be moved unless the notice of motion is given in accordance with CPR13.1 (motion to rescind a minute) above. Once the motion is dealt with, no one can propose a similar motion for six months.

CPR14 VOTING

CPR14.1 Majority

A motion to adopt a Policy or the Budget shall be decided by a simple majority of those members present and voting.

If the Council approves the proposals with amendments or approves alternative proposals, the Mayor may resubmit his proposals or make fresh proposals and submit these to the Council. He may exercise this right by writing to the Monitoring Officer within five working days of the Council decision. He may also waive the right by writing to the Monitoring Officer.

If the Council rejects the proposals, the Mayor must resubmit his proposals or make fresh proposals.

If the Mayor submits or resubmits proposals as set out above the Council shall consider these proposals. It shall make its final decision on the matter in that it may approve the proposals of the Mayor by a simple majority of votes cast at the meeting; or approve a different decision which does not accord with the recommendations of the Mayor by a two thirds majority.

Once proposals are approved, the Mayor shall implement them.

CPR14.2

Lord Mayor's casting vote

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

CPR14.3

Recorded vote

If four 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.

CPR14.4

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.

CPR14.5

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.

CPR14.6

Voting on the Budget

At a budget decision meeting of the Council:

- (a) Immediately after any vote is taken at a budget decision meeting of the Council there must be recorded in the minutes of the proceedings of that meeting the members who cast a vote for or against the decision or who abstained from voting;
- (b) Reference to a "budget decision meeting" means a meeting of full Council at which it –

- (i) makes a calculation (whether originally or by way of substitute) in accordance with any of sections 31A, 31B, 34 to 36A, 42A, 42B, 45 to 49, 52ZF, 52ZJ of the Local Government Finance Act 1992(4); or
- (ii) issues a precept under Chapter 4 of Part 1 of that Act;

References to a vote are references to a vote on any decision related to the making of the calculation or the issuing of the precept as the case may be.

CPR15 MINUTES

CPR15.1 Signing the minutes

The Lord Mayor will sign the minutes of the proceedings at the next suitable meeting. The Lord Mayor 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.

CPR15.2 No requirement to sign minutes of previous meeting at an 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.

CPR15.3 Form of minutes

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

CPR16 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 CPR 18 (disturbance by public).

CPR17 MEMBERS' CONDUCT

CPR17.1 Standing to speak

When a member of council speaks at the full Council they must stand and address the meeting through the Lord Mayor unless the Lord Mayor permits the speaker to remain seated. If more than one councillor stands, the Lord Mayor 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.

CPR17.2 Lord Mayor standing

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

CPR17.3 Member not to be heard further

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 be not heard further. If seconded, the motion will be voted on without discussion.

CPR17.4 Member to leave the meeting

If the member continues to behave improperly after such a motion is carried, the Lord Mayor 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.

CPR17.5 General disturbance

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

CPR18 DISTURBANCE BY PUBLIC

CPR18.1 Removal of member of the public

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

CPR18.2 Clearance of part of meeting room

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

CPR19 SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES

CPR19.1 Suspension

All of these **Council Rules of Procedure** (CPR) except CPR 14.4* and 15.2** may be suspended by motion on notice or without notice if at least 35 members are present. Suspension can only be for the duration of the meeting.

* *CPR14.4 - Right to require and individual vote to be recorded*

** *CPR15.2 - No agreement to sign minutes of previous meeting if extraordinary.*

CPR19.2 Amendment

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