

**REPORT FROM: CORPORATE DIRECTOR**

**TO: COUNCIL**

**DATE: 4<sup>th</sup> AUGUST 2022**

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## **RULES OF PROCEDURE**

### **RECOMMENDATION:**

That the Rules on Procedure be amended to include the three changes at paragraphs 15-17.

### **REASON FOR RECOMMENDATION:**

To improve the conduct of debates.

1. At the Annual Council meeting the Council requested the Corporate Director to submit a report to this meeting on the rules of procedure at Council and Committee meetings in relation to members speaking and points of order and personal explanation.

### **Council meetings**

2. The relevant rules of debate are as follows:
3. No speech may be made until the mover of a motion has moved it and it has been seconded (Rule 14.1).
4. When seconding a motion or amendment a speech cannot be reserved until later in the debate (Rule 14.2).
5. Speeches must be directed to the question under discussion. (Rule 14.3).
6. Except in limited circumstances a speech may not exceed 5 minutes. (Rule 14.3).
7. A member can only speak once on a motion. They may speak again to move an amendment or speak on an amendment moved by another member. The mover of a motion or an amendment may speak again to exercise a right of reply. (Rule 14.4).
8. An amendment must be relevant to the motion. (Rule 14.5).

9. A member may raise a point of order at any time and shall be entitled to be heard immediately. It may only relate to an alleged breach of the Council Rules of Procedure or the law. The Member must at the outset state the rule or law they consider has been broken before speaking further. (Rule 14.11).
10. 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. (Rule 14.12).
11. The rulings of the Mayor in a debate and in particular as the admissibility of a point of order or personal explanation are final. (Rules 14.11 and 14.12).
12. A Member must stand when speaking and address the meeting through the Mayor. (Rule 21.1).
13. If a Member persistently disregards the ruling of the Mayor, behaves improperly or offensively, or deliberately obstructs business the Mayor may move that they be not heard further. If they continue to behave improperly after such a motion has been carried the Mayor may move that they leave the meeting or adjourn the meeting. (Rules 21.3 and 21.4).

### **Committee Meetings**

14. The rules at Council meetings are less formal but the conduct of meetings is stated to be based on the spirit of the Rules at Council as far as practicable. The restrictions on length of speeches and the number of times a councillor can speak on an item do not apply.

### **Proposals for change**

15. Three proposals for changes are made. The first is the addition of the following additional Rule to apply at all meetings:

#### ***Councillors' General Conduct at meetings***

##### ***All Councillors shall:***

- ***respect the Chair at all times***
- ***adhere to the Councillor Code of Conduct***
- ***recognise and acknowledge that they are personally responsible for their own conduct and have a responsibility to secure and promote good conduct on the part of all councillors and of their political group***
- ***have regard to the need to demonstrate a standard of conduct and behaviour which supports healthy and constructive debate, and which meets the expectations that local people will hold of their elected representatives***
- ***refrain from personal attacks on any other councillor notwithstanding the acceptance of robust political debate***

16. The second change would make it clear that the permission of the Chairman is required to raise a point of personal explanation and that the ruling is not open to further discussion. Rule 14.11 would therefore be amended to read:

***With the permission of the Mayor a Member make a point of personal explanation. A personal explanation may only relate to some material part of an earlier speech which may appear to have been misunderstood in the present debate. The ruling of the Mayor on the admissibility of a personal explanation shall be final and not open to further discussion.***

17. The third change would make it clearer that when raising a point of order a Member must at the outset state what Rule of Procedure or law they consider has been broken and in what way; and that the ruling is not open to further discussion. Rule 14.12 would therefore be amended to read:

***A Member may raise a point of order in relation to an alleged breach of a Rule of Procedure or law and shall be entitled to be heard immediately. The Member must at the outset specify the Rule of Procedure or law and the way in which they consider it has been broken. The ruling of the Mayor on a point of order shall be final and not open to further discussion.***

## **IMPLICATIONS**

**Policy:** None arising directly from the report.

**Financial:** None arising directly from the report.

**Legal:** None arising directly from the report.

**Risk Management:** None arising directly from the report.

**Health and Safety:** None arising directly from the report.

**Sustainability:** None arising directly from the report.

**Community Safety:** None arising directly from the report.

**Equality and Diversity:** None arising directly from the report.

## **APPENDICES**

None

## **LIST OF BACKGROUND PAPERS**

None