

# 4A Council Procedure Rules

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## 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 May. The meeting will normally be held at Hounslow House, 7 Bath Road, Hounslow and commence as set out on Agenda.

The annual meeting will:

- (a) approve the minutes of the last meeting;
- (b) receive any announcements from the Chair and/or head of the paid service;
- (c) appoint at least one overview and scrutiny Committee, a Committee with responsibility for standards, and such other Committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are Executive functions;
- (d) agree the scheme of delegation or such part of it as the Constitution determines it is for the Council to agree;
- (e) consider any business set out in the notice convening the meeting.

### 1.2 Selection of Councillors on Committees and outside bodies

At the annual meeting, the Council meeting will:

- (a) decide which Committees to establish for the municipal year;
- (b) decide the size and terms of reference for those Committees;
- (c) decide the allocation of seats to political groups in accordance with the political balance rules;
- (d) receive nominations of Councillors to serve on each Committee and outside bodies; and
- (e) appoint to those Committees and appoint or nominate to 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 by the Council annually. Meetings will normally be held at Hounslow House, 7 Bath Road, Hounslow and commence as set out on Agenda. Ordinary meetings will:

- (a) elect a person to preside if the Mayor and Deputy Mayor are not present;
- (b) approve the minutes of the last meeting;
- (c) receive any apologies for absence, other announcements and declarations of interest from Members;
- (d) deal with any business required by law;
- (e) receive any announcements from the Mayor, the Leader, Members of the Executive or the Head of Paid Service;
- (f) deal with any business from the last Council meeting;
- (g) receive reports from the Executive and the Council's Committees and Officers, and receive questions and answers on any of those reports;
- (h) receive reports about and receive questions and answers on the business of joint arrangements and external organisations;
- (i) consider questions from Members;
- (j) consider motions; and

- (k) consider any other business specified in the summons to the meeting, including consideration of proposals from the Executive in relation to the Council's Budget and Policy Framework, and reports of the Overview and Scrutiny Committees for debate.
- (l) consider any business deemed to be urgent by the Mayor.

### 3. Special meetings

#### 3.1 Purpose

Special meetings may be called to deal with urgent business which cannot be delayed until the next ordinary meeting.

#### 3.2 Calling special meetings.

Those listed below may request the Proper Officer to call Council meetings in addition to ordinary meetings:

- (a) the Council by resolution;
- (b) the Mayor;
- (c) the Head of Paid Service, Monitoring Officer or Chief Finance Officer;
- (d) any five Members of the Council if they have signed a requisition presented to the Mayor and they have refused to call a meeting or has failed to call (issue a summons for) a meeting within seven days of the presentation of the requisition.

#### 3.3 Business

The business to be conducted at a special meeting shall be restricted to the items notified in the published agenda.

### 4. Time and place of meetings

- 4.1 The time and place of meetings will be determined by the Proper Officer and notified in the summons.

### 5. Notice of and summons to meetings

- 5.1 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. At least five clear days before a meeting, the Monitoring Officer will provide a summons to every Member of the 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.

### 6. Chair of meeting

- 6.1 The person presiding at the meeting may exercise any power or duty of the Chair.

## 7. Quorum

- 7.1** The quorum of a meeting of the Council will be one quarter of the whole number of Members. During any meeting if the Chair 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 they do not fix a date, the remaining business will be considered at the next ordinary meeting.

## 8. Duration of meetings (guillotine)

### 8.1 Commencement and Closure

Meetings of the Council will close two and a half hours after the time of the start of the meeting as advertised on the Agenda. except as determined below.

### 8.2 Varying the Closure Time

Meetings of Council shall terminate in the manner set out below unless:

- (a) the business of the meeting has been completed before the end of two and a half hours after the meeting; or
- (b) by resolution passed before the closure time, the Council resolves to extend the meeting beyond that time.
- (c) No meeting of the Council, except the Budget Setting meeting, shall continue beyond 11pm.

### 8.3 Determining Business Upon Closure by 11pm

- (a) At the time of closure, the Chair will advise the Council that the procedure to terminate the meeting is to be applied;
- (b) Any speech commenced and then in progress shall be immediately concluded;
- (c) The Chair will put any motion or recommendation then under consideration to the vote without further discussion;
- (d) All remaining business before the Council, including recommendations, and amendments that have already been moved, shall be put to the vote without discussion or further amendment. Also known as the seriatim rule;
- (e) If the Council chooses not to vote seriatim, the business will roll over to the next meeting.

## 9. Questions by Members

### 9.1 On reports of the Executive, Committees and Officers

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

## 9.2 Questions on notice at full Council

Subject to the rule below, a Member of the Council may ask:

- (a) the Chair;
- (b) a Member of the Executive;
- (c) the Chair of any Committee or Sub-Committee;

a question on any matter in relation to which the Council has powers or duties or which affects the area but Portfolio Holders may not ask questions on notice of other Portfolio Holders.

## 9.3 Notice of questions

A Member may only ask a question under the rules above if either:

- (a) they have given at least 7 working day's notice\* in writing of the question to the Head of Members Services; or
- (b) the question relates to urgent matters, they have the consent of the Committee Chair or Portfolio Holder to whom the question is to be put and the content of the question is given to Monitoring Officer by noon on the day of the meeting.

## 9.4 Response

An answer may take the form of:

- (a) a direct oral answer;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) a written answer circulated before the next meeting of Council to the questioner.

## 9.5 Supplementary question

A Member asking a question under the rules above 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. In the event of the Member asking the question being absent from the meeting, another Member may ask the question but may not ask a supplementary question.

## 9.6 Questions in the Order of Business

Unless they relate to a report on the agenda, questions from Members shall be taken only after the completion of the substantive business of the meeting.

## 9.7 Limit on the Number and Duration of Questions

A Member may ask a question on notice, though they are limited to just one question per meeting. Questions from Members of the two largest political groups on the Council shall not exceed three for each group per meeting (this entitlement to more than one question per group is subject to a group having a minimum of ten Members at the time of submission of the question). Questions from Members of the other political groups shall not exceed one per group. Questions shall be taken in the order of receipt, and the consideration of questions shall not take longer than 45 minutes in total. Any oral response to an individual question shall be limited to 5

minutes' duration. Where the matter relates to a report on the agenda, there is no limit on the amount of questions from Members or Groups

\* Note: this means that for a meeting taking place on a Tuesday, (the agenda for which will be despatched on the Monday in the preceding week), the question must be submitted in writing by 5pm on the Thursday in the week before the agenda is despatched.

## 10. Motions on notice

### 10.1 Notice

Except for motions which can be moved without notice under the next rule, written notice of every motion, identifying two Members one as proposer and one as seconder, must be delivered to Proper Officer not later than seven working days\* before the date of the meeting.

### 10.2 Motion set out in agenda

Motions for which notice has been given will be listed on the agenda (or if the agenda has been dispatched, on the supplementary 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.

### 10.3 Scope

Motions must be about matters for which the Council has a responsibility or which affect the borough. They must also not be vexatious, irrelevant, or otherwise improper. The Monitoring Officer may if they deem it necessary make relevant amendments to a published motion for legal, and technical reasons, or to aid clarity.

### 10.4 Motions in the Order of Business

Unless they relate to a report on the agenda, motions from Members shall be taken only after the completion of the substantive business of the meeting.

### 10.5 Limit on the Number and Duration of Motions

The number of motions from Members at any one meeting shall not exceed three, except where they relate to a report on the agenda. These will be allocated between the political parties so (in the case whether there are only two political groups) that the majority party may submit up to two motions and the minority party may up submit up to one motion for consideration at a council meeting. These will be taken by the Council on a rotating basis at each meeting.

No Member shall move more than one motion at each Council meeting. Subject to the limit on motion numbers per group (above), motions shall be taken in order of receipt.

The consideration of motions shall not take longer than 30 minutes in total. Motions which are not dealt within that period (unless the Council so resolves prior to the expiration of such time to extend the time) shall roll over to the next meeting and count towards the number of motions which are to be considered at that subsequent meeting.

## 11. 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 move a motion arising from a report of an Officer, a Committee or the Executive(including the recommendation of that report);
- (h) to receive a petition;
- (i) to withdraw a motion;
- (j) to amend a motion;
- (k) to proceed to the next business;
- (l) that the question be now put;
- (m) to adjourn a debate;
- (n) to adjourn a meeting;
- (o) that the meeting continue beyond two and a half hours in duration (subject to the rule above relating to the guillotine);
- (p) to suspend a particular Council procedure rule;
- (q) to exclude the public and press in accordance with the Access to Information Rules;
- (r) to not hear further a Member named under the rules relating to conduct set out below or to exclude them from the meeting under those same rules; and
- (s) to give the consent of the Council where it is required by this Constitution.

## 12. Rules of debate

### 12.1 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.

### 12.2 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 them before it is discussed.

### 12.3 Seconder's speech

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

### 12.4 Content and length of speeches

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed 5 minutes without the consent of the Chair.

### 12.5 Interventions

During a speech a Member may elect to take up to two interventions from other Members, though only one can be taken from a Member of their own group. Interventions must be brief and used for asking the Member, who has taken the intervention, a question relevant to the speech, report or motion in question. Any Member who takes an intervention will have 30 seconds added to their allocated speaking time each time.

### 12.6 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:

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

## 13. Amendments to motions

An amendment to a motion must be relevant to the motion and will either be:

- (a) to refer the matter to an appropriate body or individual for consideration or reconsideration;
- (b) to leave out words;
- (c) to leave out words and insert or add others; or
- (d) to insert or add words.

as long as the effect of (b) to (d) is not to negate the motion.

**13.1** Amendments must be seconded, and if required by the Chair, must be put in writing. 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.

**13.2** If an amendment is not carried, other amendments to the original motion may be moved.

**13.3** 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.

**13.4** 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.

**13.5** Any number of amendments may be taken on a motion, subject to the following rules:

- (a) Only one amendment can be dealt with at a time.
- (b) A Member may propose up to two amendments on any motion, unless the motion is to receive and adopt a report and recommendation. In this case, there is no limit.
- (c) If an amendment has been defeated, no other amendments which would have the same effect as the amendment which is lost can be proposed.
- (d) If an amendment is carried, the motion under debate becomes the substantive motion, as amended.

### 13.6 Alteration of motion



- (a) A Member may alter a motion of which they have given notice with the consent of the meeting.
- (b) Only alterations which could be made as an amendment may be made.

### 13.7 Withdrawal of motion

A Member may withdraw a motion which they have moved and where the debate has started, with the consent of both the meeting majority and the seconder. 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.

### 13.8 Right of reply

- (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, unless with the consent of the meeting, permission is given to amend or withdraw the motion.
- (c) The mover of the amendment has no right of reply to the debate on his or her amendment.

### 13.9 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;
- (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 two and a half hours in duration (subject to the rules above regarding the guillotine);
- (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 the rules relating to conduct set out below or to exclude them from the meeting under those same rules.

### 13.10 Closure motions

A Member may move, without comment, the following motions at the end of a speech of another Member:

- (a) to proceed to the next business;
- (b) that the question be now put;
- (c) to adjourn a debate; or
- (d) to adjourn a meeting.

If a motion to proceed to next business is seconded and the Chair thinks the item has been sufficiently discussed, they may give the mover of the original motion a right of reply and then put the procedural motion to the vote.

If a motion that the question be now put is seconded and the Chair thinks the item has been

sufficiently discussed, they will put the procedural motion to the vote. If it is passed they will give the mover of the original motion a right of reply before putting their motion to the vote.

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, they will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

### **13.11** Point of order

A Member may raise a point of order at any time by stating the relevant constitutional clause under which the point of order is being requested. The Chair will hear them immediately. A point of order may only relate to an alleged breach of these Council Rules of Procedure 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.

### **13.12** 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.

### **13.13** Petitions

The time allocated to petitions, at Council, should be no greater than 30 minutes.

## **14. Previous decisions and motions**

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

A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least 10 Members.

### **14.2** 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 six months cannot be moved unless the notice of motion or amendment is signed by at least 10 Members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

## **15. Voting**

### **15.1** Who May Vote

Only elected Councillors may vote at meetings of the Council.

### **15.2** 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.

### 15.3 Chair's casting vote

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

### 15.4 Show of hands

Unless recorded vote is demanded under the rule below, the Chair will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

### 15.5 Recorded vote

At Council the names for and against a motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. For a recorded vote to be held, eight or more Members must ask for it at the meeting.

### 15.6 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.

### 15.7 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.

## 16. Minutes

**16.1** Minutes must be kept to record all the decisions taken by meetings of the Council. Minutes must also include a record of the names of all the Councillors present.

**16.2** Minutes of the Council should be submitted to the next following ordinary meeting (not a special meeting) of the appropriate body. When the minutes have been confirmed as a correct record, they must be signed by the Chair as a correct record.

**16.3** Signed minutes must be kept available for inspection by Councillors and Members of the public during Office hours.

**16.4** Signed minutes will be deemed to be evidence of a decision taken by a properly convened meeting of elected Councillors.

Only two areas of discussion are permitted on the minutes of a previous meeting. These are:

- (a)** to challenge their accuracy; or
- (b)** to receive information on items contained in the minutes.

## 17. Record of attendance

All Members present during the whole or part of a meeting should sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance.

## 18. 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 the rule on Disturbance by Public.

## 19. Members' conduct

### 19.1 Chair's Interventions

When the Chair intervenes during a debate, any Member speaking at the time must stop speaking. The meeting must be silent until the Chair allows the meeting to continue.

### 19.2 Member not to be heard further

If a Member 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.

### 19.3 Member to leave the meeting

If the Member 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.

### 19.4 General disturbance

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

### 19.5 Mobile phones

Members must keep their mobile phones (and other similar communication equipment) switched off, or set to silent, during the course of the meeting.

### 19.6 Social Media

Members are not permitted to engage with social media whilst in attendance at a meeting of the Council.

## 20. Disturbance by public

### 20.1 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.

### 20.2 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.

## **21. Suspension and amendment of Council procedure rules**

### **21.1 Suspension**

All of these Council Rules of Procedure except the rule above regarding recorded votes and minutes (which are legal requirements), and the rule relating to the guillotine, 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 and agree to the suspension. Suspension can only be for the duration of the meeting.

### **21.2 Amendment**

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