

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) Elect a person to preside if the Mayor or Deputy Mayor are not present
- (c) Elect the Mayor for the following year
- (d) Note the appointment by the Mayor of a Deputy Mayor
- (e) receive any announcements from the Chair and/or the Chief Executive
- (f) agree the scheme of delegation or such part of it as the Constitution determines it is for the Council to agree;
- (g) Note the decision of the Leader as to the number and identity of the members s/he has appointed to the Cabinet, the scope of their respective portfolios and the terms of delegation to them and officers;
- (h) Approve a programme of meetings for the municipal year if this has not already been agreed at a previous meeting.
- (i) consider any business set out in the notice convening the meeting.

1.2 Role of Annual Council when there has been an ordinary election of Councillors

At the first annual meeting after an ordinary election of councillors, the meeting shall elect the Leader of the Council to serve until annual meeting following the next ordinary election of councillors and note their appointment of a Deputy Leader who will serve for the same period.

1.3 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, including at least one overview and scrutiny committee and one committee which has responsibility for audit and standards matters;
- (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 Cabinet.

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 Chief Executive;
- (f) deal with any business from the last Council meeting;
- (g) receive reports from the Cabinet 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 any other business specified in the summons to the meeting, including consideration of proposals from the Cabinet in relation to the Council's Budget and Policy Framework, and reports of the Overview and Scrutiny Committees for debate.
- (j) consider any business deemed to be urgent by the Mayor, including any urgent question from a member which it has agreed may be admitted under rule 9.2; and
- (k) consider motions

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 Chief Executive, Monitoring Officer or Section 151 Officer;
- (d) any five Members of the Council if they have signed a requisition presented to the Mayor and the Mayor has 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 Procedure Rules. At least five clear days before a meeting, the Proper 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 on completion of the business set out in the agenda or three hours after the time of the start of the meeting, whichever is the earlier, unless before that time a motion to extend the meeting for a specified time has been passed under Rule 8.2.

- 8.2** Varying the Closure Time

- (a)** If the business of the meeting has not been completed within three hours after the start of the meeting (the closure time), the meeting may be extended by resolution of the council passed before the closure time.
- (b)** A resolution to extend the closure time may extend the meeting either for a specified period or until such a time the business of the meeting has been completed.

8.3 Determining Business Upon Closure

- (a) At the closure time, 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) Subject to 8.3(e) below, all remaining business before the Council, shall be put to the vote without discussion or further amendment.
- (e) Motions which have not at the closure time been both moved and seconded, shall be treated as though they have been withdrawn, without further discussion.
- (f) During this process outlined above, the only other motions which may be moved are that a matter be withdrawn or referred to another body to determine

9. Questions by Members

9.1 On reports of the Cabinet, Committees and Officers

A Member of the Council may ask the Leader, relevant Cabinet member or the Chair of a Committee any question without notice upon a report of the Cabinet or Committee, when that report is being received or under consideration by the Council. Such questions shall be asked after the report in question has been moved and seconded and shall be completed before the commencement of the debate on the report.

9.2 Questions on notice at full Council

If a Member wishes to ask a question of the Leader, or a Cabinet Member, on an issue which is not related to an item of business on the agenda for the meeting, they may submit a request to the Proper Officer no later than midday on the day before the meeting in question.

- a) Upon receipt of such a request, the Mayor shall consider, on the advice of the Monitoring Officer, whether the question should be allowed. In doing so the Mayor will take into account the following criteria:
 - (i) Whether the question is urgent;
 - (ii) Whether the question could reasonably be dealt with in another way; and
 - (iii) Whether the subject matter of the question is such that it is in the public interest to allow it to be put at the meeting.
- b) If the Mayor decides to allow the question to be put, it shall be taken after consideration of any reports on the agenda but before the first motion is taken.

10. Motions on notice

10.1 Notice

Except for motions which can be moved without notice under rule 11, written notice of every motion, identifying two Members, one as proposer and one as seconder, must be delivered to the Proper Officer not later than seven clear working days* before the date of the meeting.

* 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 motion must be submitted in writing by 5pm on the Thursday in the week before the agenda is dispatched.

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 / or 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 Motions at the Annual Meeting and Budget Meeting

Apart from motions relating to a report on the agenda, members shall not be entitled to submit motions at the annual meeting or the meeting held in order to agree the Council's budget and to set the council tax for the following financial year (the Budget Meeting).

10.6 Limit on the Number and Duration of Motions

- a) The total number of motions from Members which do not relate to reports on the agenda, shall not exceed twelve in any one municipal year or three in any one meeting;
- b) No Member shall move more than one motion at each Council meeting;
- c) motions shall be taken in the order of receipt of notice
- d) The allocation of motions as between the political groups represented on the Council over the course of any municipal year, shall be determined by reference to the proportion of seats on the Council held by those groups. Where the application of such proportionality does not lead to a group's entitlement being a whole number of motions, then if that entitlement is 0.5 or more of a motion or motions, it shall be rounded up to the next nearest whole number. Where the entitlement is less than 0.5, it shall be rounded down.
- e) Where application of this process leads to any political group not being entitled to submit a

motion at each meeting where such motions are allowed, it shall be for that group to choose at which meeting to submit their allocated motions but they shall not be entitled to submit more than one motion at any meeting. The political group in question shall give notice of its intention to exercise its entitlement to submit a motion no later than **six** weeks before the meeting at which it intends to do so.

f) it shall be open to any political group to agree that one of its allocated motions may be taken instead by a councillor who is not a member of any political group. Such a motion will need to be proposed and seconded in the usual way.

g) In addition to the number of motions allocated to political groups in accordance with rule 10.6(d), a political group may request the Mayor to consider accepting an urgent motion by submitting the proposed motion to the Proper Officer by 12pm on the day before the meeting in question.

h) Upon receipt of such a request, the Mayor shall consider, on the advice of the Monitoring Officer and in consultation with the Chief Executive, whether the motion should be allowed. In doing so the Mayor will take into account the following criteria:

- (i) Whether the motion is urgent;
- (ii) Whether the motion could reasonably be dealt with in another way;
- (iii) Whether the subject matter of the question is such that it is in the public interest to allow it to be put at the meeting. the Chair of any Committee or Sub-Committee;

i) If the Mayor decides to accept the motion, it shall be taken after consideration of any other motions already listed on the agenda for the 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 Cabinet (including the recommendation of that report), where that report is on the agenda of the Council meeting in respect of which the motion has been submitted;
- (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 three hours in accordance with Rule 8.2
- (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 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 Secunder'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. A member proposing a motion and any amendment to it may speak for up to 5 minutes in doing so. Subject to Rule 12.5, no other speech may exceed 3 minutes without the consent of the Chair.

12.5 At Budget Meetings, the following provisions will apply:

- a) the Leader (or other Cabinet Member) moving the budget report will be allowed to speak for 10 minutes;
- b) the Leader of the second largest political group represented on the Council will be allowed to speak for 10 minutes in response to that speech. If that person is also proposing an amendment to the budget report, the 10 minute time allotted shall include the time spent on moving such an amendment. If another member of that group moves the amendment to the budget, they shall have 5 minutes to do so, in addition to the time allowed to the Leader of that group.

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.

13. Amendments to motions

13.1 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.

13.2 Amendments must be seconded and submitted in writing to the Proper Officer by 4pm on the working day which is two days before the day of the meeting (e.g. by 4pm on a Friday for a meeting due to take place on the following Tuesday). If the amendment is ruled by the Monitoring Officer to be in order, it will be circulated to all members by 5pm on the working day before the meeting.

13.3 In the case of amendments to the report proposing the Council's budget and rate of council tax, any amendment shall be submitted by 5pm on the day which is one week after the date of the Cabinet meeting at which the final budget proposals were considered. If the amendment is ruled by the Monitoring Officer and the section 151 Officer to be in order, it will be published in the form of a supplementary agenda as soon as reasonably practicable thereafter.

13.4 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.

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

13.6 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.

13.7 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.

13.8 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 only propose one amendment on any motion, including on a motion to receive and adopt a report and recommendation.
- (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.

13.9 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.

13.10 Withdrawal of motion

A Member may withdraw a motion of which they have given notice but not yet formally moved.

Where the motion has been moved and seconded, they may withdraw that motion with the consent of both the meeting 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.

13.11 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.

13.12 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 three hours in duration in accordance with Rule 11
- (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.

13.13 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 considers the item has been sufficiently discussed, they shall give the mover of the original motion a right of reply and then put the procedural motion to the vote. If it is passed, the Chair will move on to the item of business appearing next on the agenda for the meeting.

If a motion that the question be now put is seconded and the Chair considers the item has been sufficiently discussed, they will put the procedural motion to the vote. If it is passed, they shall 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 considers

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.

13.14 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.

13.15 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.

13.16 Petitions

The time allocated to petitions, at Council, shall 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. For the avoidance of doubt, where a motion is treated as withdrawn under Rule 8.3 above, it shall not be treated as having been rejected for the purpose of this rule.

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 rule 15.5 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

- a) At any meeting of the 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.
- b) A recorded vote will also be taken at the Council's budget setting meeting on any decision relating to the calculation of the Council Tax requirement and the setting of the Council Tax.

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 in the record of attendance before the conclusion of every meeting.

18. Exclusion of public

Members of the public and press may only be excluded either in accordance with the Access to Information Procedure 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. If the motion is passed, the member shall leave the meeting immediately.

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 rule 11, 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.