

# Part 4a – Procedural Standing Orders for Council and Committees

Updated – 30 November 2022

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## 1. Application of these Procedural Standing Orders

- 1.1 These Procedural Standing Orders regulate the conduct of meetings of full Council. They do not apply to meetings of the Executive/or any committee of the Executive.
- 1.2 Those Procedural Standing Orders prefixed by a # apply to meetings of committees and sub-committees of the Council with any necessary or consequential modifications.
- 1.3 For the avoidance of doubt when a Procedure Rule states that a request should be made in writing then this includes a request submitted by electronic means.

## 2. Annual meeting of the Council

- 2.1 In a year when there is an ordinary election of councillors, the annual meeting will take place between eight and 21 days of the retirement of the outgoing councillors. In any other year, the Annual Meeting will take place in March, April or May.
- 2.2 The Annual Meeting will:
  - (i) elect a person to preside if the Mayor and Deputy Mayor are not present
  - (ii) elect the Mayor
  - (iii) elect the Deputy Mayor
  - (iv) approve the minutes of the last meeting
  - (v) receive any announcements from the Mayor
  - (vi) elect the Leader (if this is the first annual meeting following an all out election)
  - (vii) appoint scrutiny committees and such other committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are Executive functions (as set out in Part 3, of this Constitution)
  - (viii) decide the size and as appropriate, the terms of reference for those committees
  - (ix) decide the allocation of seats to political groups in accordance with the political balance rules
  - (x) agree the scheme of delegation or such part of it as the Constitution determines it is for the Council to agree (as set out in Part 3 of this Constitution)
  - (xi) approve a programme of ordinary meetings of the Council for the year and
  - (xii) consider any business set out in the notice convening the meeting.

## 3. Ordinary meetings ~~and~~ the Budget Council Meeting ~~and Council~~ Briefing meetings

### 3.1 Ordinary meetings of the Council

- 3.1.1 These will take place in accordance with a programme decided at the Council's Annual Meeting normally on a basis of four meetings per year although meetings will not normally be held during the pre-election/ pre-referendum period. Ordinary meetings will:

- (i) elect a person to preside if the Mayor and Deputy Mayor are not present
- (ii) approve the minutes of the last meeting
- (iii) receive any declarations of interest from Members
- (iv) receive any official announcements from the Mayor ~~(save during the period between the calling of and the holding of any election or referendum)~~
- (v) deal with any business from the last Council meeting
- (vi) receive representations and questions from individual members of the public ~~(save during the period between the calling of and the holding of any election or referendum)~~
- (vii) receive and debate petitions of at least 1,500 signatures in accordance with the Council's approved scheme
- (viii) receive and consider reports from the Leader of the Council, Cabinet Members, the Scrutiny Leadership Board Chair, the Audit Committee Chair, Council appointed representatives to the Combined Fire Authority and deal with any questions or matters arising ~~thereon~~
- (ix) consider any called-in decision referred to the Council by the scrutiny committees
- (x) consider any proposals or recommendations from the Executive, the scrutiny committees, the Audit Committee, the regulatory committees or the Health and Wellbeing Board
- (xi) consider any other business specified in the summons to the meeting
- (xii) consider Notices of Motion or other business proposed by members for inclusion on the Council agenda.

**Notes:**

*Council meetings are not now scheduled in the pre election/ pre referendum period so the references above which are struck through are recommended to be deleted.*

~~**Council Briefing meetings**—these will take place on a monthly basis for approximately one hour. The Council briefing meetings will be open to all members, representatives from the Blackpool Clinical Commissioning Group and the Blackpool, Fylde and Wyre Hospitals NHS Foundation Trust, Lancashire Constabulary and from other partner organisations as appropriate. The briefing meetings will provide the opportunity to:~~

- ~~(i) —receive presentations and hold a discussion on strategic/community wide issues~~
- ~~(ii) —consider reports or presentations from members appointed to outside bodies and partnerships and those organisations' respective officials~~
- ~~(iii) —seek the attendees' views during the early stages of drafting plans and strategies for the Council's policy framework.~~

**Notes:**

*Council Briefings have not been held for many years, as there is a separate training programme for members. It is therefore recommended that this section be taken out.*

### 3.2 Budget Meeting of the Council

- 3.2.1 The Council will hold annually a meeting to determine a budget and the level of Council Tax to be levied for the forthcoming financial year. The meeting can also consider any decision making reports referred to it by a committee, the Executive, Council itself, or a Statutory Chief Officer which cannot wait until the next ordinary Council meeting.

## 4. Extraordinary meetings

4.1 Those listed below may request the Director of Governance and Partnerships (Monitoring Officer) to call Council meetings in addition to ordinary meetings:

- (i) the Council by resolution
- (ii) the Mayor of the Council
- (iii) the Leader
- (iv) the Monitoring Officer
- (v) any five members of the Council if they have signed a requisition ~~presented to the Mayor and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition~~ and submitted it to the Monitoring Officer

<b>Notes:</b>
<i>The above change is recommended as the change indicates what would happen in practice.</i>

## #5. Time and place of meetings

5.1 The time and place of meetings will be determined by the Director of Governance and Partnerships (Monitoring Officer) and notified in the summons.

## #6. Notice of and summons to meetings

6.1 The Director of Governance and Partnerships (Monitoring Officer) will give public notice of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear working days before a Council meeting, the Director of Governance and Partnerships (Monitoring Officer) will send a summons signed by him/her ~~by post~~ to every member of the Council ~~or leave it at their usual place of residence~~. The summons will give the date, time and place of the meeting and specify the business to be transacted, and will be accompanied by the relevant ~~such~~ reports ~~as are available~~.

<b>Notes:</b>
<i>The above changes again take account of updated legislation and current practice. The amended wording still allows delivery by post if necessary</i>

## 7. Chair of meeting

7.1 The Mayor or in his/her absence, the Deputy Mayor will chair meetings of the Council.

7.2 In the absence of the Mayor and Deputy Mayor, meetings will be chaired by the person elected by the Council to preside. An Executive Member may not be elected to preside at a meeting of the Council in the absence of the Mayor or Deputy Mayor. The person presiding at a meeting of the Council may exercise, as appropriate, any power or discharge any duty assigned by these Procedural Standing Orders to the Mayor.

## #8. Quorum

### 8.1 Council

8.1.1 The quorum of a Council meeting shall be one-third of the whole number of members.

## 8.2 Committees and sub-committees

8.2.1 The quorum for committees and sub-committees shall be one-quarter of the whole number of members (which in any event shall not be less than three).

## 8.3 Health and Wellbeing Board

8.3.1 The quorum for the Health and Wellbeing Board shall be a quarter of the membership with at least representatives from two appointing organisations, in attendance.

8.3.2 During any meeting if the Mayor (or Chair) 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 Mayor (or Chair). If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

## #9. Representations, ~~petitions~~ and questions by the public

9.1 ~~Subject as follows~~, Members of the public may make representations at ordinary meetings of the Council, the Planning Committee and the scrutiny committees in line with the following procedures.

9.2 With regard to Council and scrutiny committee meetings, not more than five people may speak at any one meeting and no persons may speak for longer than five minutes. ~~These meetings can also consider petitions submitted in accordance with the Council's approved scheme, but will not receive representations, petitions or questions during the period between the calling of and the holding of any election or referendum.~~

Notes:
<i>The above changes are being recommended because petitions is now a separate procedural standing order (no 10 below) and procedural standing order 3 has been updated to state that ordinary Council meetings will not normally be held in the pre election/pre referendum period, therefore the above wording is superfluous.</i>

9.3 Members of the public, other elected members, other organisation representatives and officers from the Council may be permitted to speak at meetings of the Health and Wellbeing Board, with the permission of the Chair.

## 9.4 Request to participate at a Council meeting

9.4.1 A person wishing to make representations or ask a member of the Executive a question at a Council meeting, must submit ~~such~~ a request in writing to the Head of Democratic Governance, for consideration.

9.4.2 Those approved to participate will be given not less than five clear working days' notice of the meeting at which their representations or questions will be received. Those submitting representations or questions will be given a response from the Leader of the

Council or relevant Cabinet Member, at the meeting.

## **9.5 Reason for refusing a request to participate at a Council meeting**

9.5.1 An application to participate would be **refused** in the following circumstances:

- (i) If a deputation has already spoken on that issue, or it refers to a decision of Council that is not on the agenda for that meeting, within the last six months
- (ii) If it would normally be considered by the Scrutiny Committee
- (iii) If it refers to a regulatory committee decision
- (iv) If it is illegal, defamatory, scurrilous, frivolous or offensive
- (v) If it is factually inaccurate
- (vi) If the issues to be raised would be considered 'exempt' information under the Council's Access to Information Procedure Rules
- (vii) If it refers to legal proceedings in which the Council is involved or is in contemplation
- (viii) If it relates directly to the provision of a service to an individual where the use of the Council's complaints procedure would be relevant
- (ix) If the deputation has a financial or commercial interest in the issue.

## **9.6 Request to participate at a Planning Committee meeting**

9.6.1 An applicant, agent or supporter (or representative of the supporters, if there is more than one present) and objector (or a representative of the objectors, if there is more than one present) along with ward councillors can make representations regarding a planning application to the appropriate meeting of the Planning Committee.

9.6.2 Requests to speak must be made in writing to the Head of Democratic Governance, no later than noon, one working day prior to the meeting. The following procedure will apply:

- (i) An objector will be allowed to speak for no longer than seven minutes (the Chair, in exceptional circumstances, may allow more than one speaker, where it is considered beneficial to the consideration of the application, but the total allocated time of seven minutes will be split between the number of speakers, e.g. seven speakers will receive one minute each).
- (ii) Members of the Planning Committee may then question the objector(s) for clarification or extra information.
- (iii) The applicant or agent or supporter will then be invited to address the Committee for no longer than seven minutes. If both applicant and agent/supporter apply to speak, precedence will be given to the applicant. If the applicant would like to speak and would like the agent/supporter to also speak, the same limitations regarding time limits as in (a) above will apply.
- (iv) Members of the Planning Committee may then question the applicant or agent or supporter for clarification or extra information.
- (v) Any ward councillor may be allowed to address the Committee for up to seven minutes in line with 9.6.2 above.

## 9.7 Request to participate at scrutiny committee meetings

- 9.7.1 A person wishing to make representations or otherwise wish to speak at one of the scrutiny committees must submit such a request in writing to the Head of Democratic Governance, for consideration.
- 9.7.2 The deadline for applications will be 5pm on the day prior to the dispatch of the agenda for the meeting at which their representations, requests or questions will be received. (The Chair, in exceptional circumstances, may allow a speaker to speak on a specific agenda item for a scrutiny committee, no later than noon, one working day prior to the meeting).
- 9.7.3 Those submitting representations, requests or questions will be given a response at the meeting from the Chair of the committee, or other person acting as Chair for the meeting.

## 9.8 Reason for refusing a request to participate at a scrutiny committee meeting

- 9.8.1 An application to participate would be **refused** in the following circumstances:
- (i) if it is illegal, defamatory, scurrilous, frivolous or offensive
  - (ii) If it is factually inaccurate
  - (iii) If the issues to be raised would be considered 'exempt' information under the Council's Access to Information Procedure rules
  - (iv) If it refers to legal proceedings in which the Council is involved or is in contemplation
  - (v) If it relates directly to the provision of a service to an individual where the use of the Council's complaints procedure would be relevant
  - (vi) If the deputation has a financial or commercial interest in the issue.

## 10. Petitions for debate at Council Meeting

- 10.1 Petitions which meet the requirements of the Council's Petitions scheme and as part of that have at least 1,500 signatures will be debated at an ordinary Council meeting. The following procedure will apply:

- (i) Petition organisers have the opportunity to present their petition and a maximum of five minutes will be allowed for that purpose.
- (ii) A maximum of 20 minutes will then be allowed for discussion of the matter by councillors. During this debate the merits or otherwise of the petition question will be debated but no motions tabled. Members are to speak once only and for a maximum of three minutes. The 20 minute time limit may be extended at the discretion of the Mayor, if considered appropriate.
- (iii) At the end of the Petition Debate, the Mayor will ask for motions on how the Council wishes to respond to the Petition and the relevant Cabinet Member will be invited to speak first on this part of the item. The motion may include:
  - a) taking the action requested in the Petition
  - b) noting the Petition, but not taking the action requested
  - c) requesting further investigation into the matter

d) deciding whether to make recommendations to the Executive where the matter falls to the Executive to make the final decision.

Members who have spoken in (ii) above may speak again in this part of the discussion although the rules of debate as set out in Procedural Standing Order 15 will apply.

(iv) The 20 minute and 10 minute time limits set out above may be extended at the discretion of the Mayor, if considered appropriate

**Notes:**

*The recommended changes above allow an open debate on the petition question without any motions being moved. The addition of a second discussion part then allows for motions to be moved, seconded and debated.*

## **11. Executive Member and Council appointed representatives' reports**

11.1 At each ordinary meeting of the Council, the Council shall receive three Executive Member reports: one from the Leader of the Council covering the 'Corporate' Portfolio area and the other two covering the 'People' portfolio areas and the 'Place' portfolio areas. The areas of executive responsibility to go in these Executive Member reports to be determined by the Monitoring Officer following consultation with the Leader of the Council. The Executive Member presenting the report to Council to be known as the 'Lead' Executive member for that report. These reports will cover corporate, policy and strategic issues in their areas of responsibility.

11.2 On a twice a year basis, at an ordinary meeting of Council, consideration will be given to reports ~~from the Chair of the Scrutiny Leadership Board and from Council appointed representatives from the Combined Fire Authority. On an annual basis, the Chair of the Council's Audit Committee will also present a report to Council on the work of that Committee.~~

11.3 Each 'Lead' Executive Member or nominated Fire Authority representative, ~~the Chair of the Scrutiny Leadership Board and the Chair of Audit Committee~~ will have a maximum of three minutes to present their report to the Council. The Mayor (or other person presiding) will then ask for questions and comments on each report. A period of not more than 25 minutes shall be allowed for oral questions or comments from members (including those from other Cabinet Members) on each report, at the expiry of which the persons set out above, shall be given a period of not more than 25 minutes to answer. There is no limit on the number of instances that a member may ask questions on the Executive Reports. Any Executive Member can respond to questions or comments on an area of their responsibility within the 25 minute period.

11.4 With regard to the Executive Member reports, questions and comments should relate to any corporate, policy or strategic issue within their portfolio. Questions of a technical or purely operational nature may be disallowed by the Mayor, or the Executive Member to whom such a question is directed may decline to answer or state that a written answer will be provided.

11.5 In deciding whether a question is technical or operational in nature, as opposed



to a matter of general policy, the Mayor and members shall have regard to any guidance issued by the Monitoring Officer.

11.6 In connection with the Combined Fire Authority representative or the Chair of the Audit Committee, questions will be permitted on any area of their reports or of their responsibility.

11.7 Should a member have a disclosable pecuniary interest or a prejudicial interest in a question or comment raised by another member during the course of the debate, then in accordance with Procedural Standing Order 21, they shall leave the room whilst any discussion takes place. Whilst they are out of the room, either the relevant Executive Member or nominated Fire Authority representative, ~~Chair of the Scrutiny Leadership Board or the Chair of Audit Committee (as appropriate)~~ shall respond to that question or comment immediately and the time taken will be deducted from the overall 25 minutes allocated to answer, as referred to in Procedural Standing Order 11.3 above. After this has taken place and the member with the interest has returned to their seat then the questions and comments shall continue in accordance with Procedural Standing Order 11.3.

11.8 No supplementary questions or comments shall be permitted after the response has been given.

11.9 In the absence of a 'Lead' Executive Member nominated for that meeting, the Leader of the Council will appoint another Executive Member to deliver the report.

11.10 A response may be given as follows:

- a direct oral answer
- where the desired information is in a publication of the Council or other published work, a reference to that publication
- where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

**Notes:**

*The reference to the reports from the Chair of the Audit Committee and the Chair of the Scrutiny Leadership Board have been taken out from this section and added to Procedural Standing Order 12 below, as these tend to be more formal reports with a decision from Council sought.*

*It is recommended that any further potential change as to how Executive Member reports are presented to Council be left until after the May 2023 elections.*

**~~Questions on notice at committees and sub-committee~~**

~~11.1 Subject to Procedural Standing Order 11.2, a member of a committee or sub-committee may ask the Chair of it a question on any matter in relation to which the Council has powers or duties or which affects the Borough of Blackpool and which falls within the terms of reference of that committee or sub-committee.~~

~~11.2 A member may only ask a question under Procedural Standing Order 11.1 if either:~~

- ~~(i) He/she has given notice in writing of the question. This must be received by the Head of Democratic Governance by no later than 5pm, at least three clear~~

- ~~working days in advance of the meeting or~~
- ~~(ii) The question relates to an urgent matter, he/she has the consent of the person to whom the question is to be put and a copy of the question is given to the Head of Democratic Governance by 9.30 am on the day of the meeting.~~

~~11.3 An answer may take the form of~~

- ~~• a direct oral answer~~
- ~~• where the desired information is in a publication of the Council or other published work, a reference to that publication~~
- ~~• where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.~~

~~11.4 A member who has asked a question under Procedural Standing Order 11.2 may also put one supplementary question, without notice, to any person who has given an oral answer to his/her original question provided that the supplementary question arises directly out of the reply to the original question.~~

**Notes:**

*It is recommended that this Procedural Standing Order be removed as it is adequately covered by other practices. Members can request to speak at the Executive and at Committees and can ask for issues to be considered on scrutiny workplan items*

## **12. Reports from the Chair of Audit Committee and Chair of Scrutiny Leadership Board**

12.1 On a twice yearly basis, ~~the Chair of the Scrutiny Leadership Board consideration will also be given to present a report to Council on the work of that committee. from the Chair of the Scrutiny Leadership Board.~~

12.2 On ~~an annual~~ a twice yearly basis, the Chair of the Council's Audit Committee will also present a report to Council on the work of that Committee.

**Notes:**

*Separate Procedural Standing Order recommended and also to make the report from the Chair of the Audit Committee a twice yearly report because of the significance of the Audit Committee.*

## **13. Motions on notice**

### **13.1 Notice**

13.2 Except for motions which can be moved without notice under Procedural Standing Order 14, written notice of every motion, signed by the member, must be delivered to the Director of Governance and Partnerships (Monitoring Officer) not later than 5.00 pm on the day preceding the day for summoning the Council. The Mayor or, in his/her absence, the Deputy Mayor, on the advice of the Director of Governance and Partnerships (Monitoring Officer), may exclude from the agenda any notice of motion which may be out of order, or may make such clerical corrections therein to bring it into the due form.



### **13.3 Motion set out in agenda**

13.4 Motions for which notice has been given will be listed on the 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.

### **13.5 Absence of Proposer of Motion**

13.6 When a motion of which notice has been given under Procedural Standing Order 13.1 is reached on the Council agenda and the proposer in whose name the motion stands is absent, such motion shall lapse and may only be revived by a fresh notice, unless such proposer shall have given authority in writing of his/her consent to the motion being taken up by some other Member of the Council, or it contains business which, by law, the Council must transact.

### **13.7 Scope**

13.8 Motions must be about matters for which the Council has a responsibility or which affect the Borough.

## **14. Motions without notice**

14.1 The following motions may be moved without notice:

- (i) to appoint a Chair of the meeting at which the motion is moved
- (ii) in relation to the accuracy of the minutes
- (iii) to change the order of business in the agenda
- (iv) to refer something to an appropriate body or individual
- (v) to appoint a Committee or member arising from an item on the summons for the meeting
- (vi) to receive reports or adoption of recommendations of committees or officers and any resolutions following from them
- (vii) to withdraw a motion
- (viii) to amend a motion
- (ix) to proceed to the next business
- (x) that the question be now put
- (xi) to adjourn a debate
- (xii) to adjourn a meeting
- (xiii) to extend the time limit for speeches
- (xiv) to suspend a particular Council Procedural Standing Order
- (xv) to exclude the public and press in accordance with the Access to Information Rules
- (xvi) to not hear further a member named under Procedural Standing Order 22.3 or to exclude them from the meeting under Procedural Standing Order 22.4 and
- (xvii) to give the consent of the Council where its consent is required by this Constitution.

## **15. Rules of debate**

### **#15.1 No speeches until motion seconded**

15.1.1 No speeches may be made after the mover has moved a proposal and explained the

purpose of it until the motion has been seconded.

## **#15.2 Right to require motion in writing**

15.2.1 Unless notice of the motion has already been given, the Chair may require it to be written down and handed to him/her before it is discussed.

## **15.3 Seconders' speech**

15.3.1 When seconding a motion or amendment, a member may reserve their speech until later in the debate but prior to the right of reply.

## **15.4 Content and timing of speeches**

15.4.1 Speeches must be directed to the question under discussion or to a personal explanation or point of order. ~~Without leave of the Council~~ No speech shall occupy more than three minutes except that the opening speech of the member moving a motion or amendment (other than a procedural motion under Procedural Standing Order 14.10) shall not occupy more than five minutes.

15.4.2 Any speeches relating to matters set out below may, at the discretion of the Mayor have no set time allocated to them

- (i) Mayor's announcements
- (ii) Civic addresses, including the appointment of the Mayor and Honorary Aldermen
- (iii) Award of honours
- (iv) Resolutions of condolence
- (v) Speeches at Budget Council from Group Leaders in relation to the setting of the Council Tax.

<b>Notes:</b>
<i>The above addition has become custom and practice over many years and it is recommended that these now form part of the constitution.</i>

## **15.5 When a member may speak again**

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

- (vi) to speak once on an amendment moved by another member
- (vii) to move a further amendment if the motion has been amended since he/she last spoke
- (viii) 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)
- (ix) in exercise of a right of reply
- (x) on a point of order
- (xi) by way of personal explanation.

## **#15.6 Amendments to motions**

15.6.1 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
- (iv) to insert or add words.

as long as the effect of (ii) to (iv) is not to negate the motion and does not introduce a new proposal into it.

15.6.2 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.

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

15.6.4 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.

15.6.5 After an amendment has been carried, the Mayor (or Chair) will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

## **15.7 Alteration of motion**

15.7.1 A member may alter a motion of which he/she has given notice with the consent of the meeting. The meeting's consent will be signified without discussion.

15.7.2 A member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.

15.7.3 Only alterations which could be made as an amendment may be made.

## **#15.8 Withdrawal of motion or amendment**

15.8.1 A motion or amendment which has been moved and seconded shall not be withdrawn without the meeting's consent.

## **15.9 Right of reply**

15.9.1 The mover of a motion has a right of reply at the end of the debate on the motion, immediately before it is put to the vote.

15.9.2 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.

15.9.3 The mover of the amendment has no the right of reply to the debate on his or her

amendment.

15.9.4 If an amendment is agreed and it becomes a substantive motion then the mover of the amendment has the right of reply on the substantive motion.

15.9.5 If an amendment is lost and the debate returns to the original motion then the mover of the original motion has the right of reply on the original motion

<b>Notes:</b>
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<i>Two additional references to add more clarity</i>
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## 15.10 Motions which may be moved during debate

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

- (i) to withdraw a motion
- (ii) to amend a motion
- (iii) to proceed to the next business
- (iv) that the question be now put
- (v) to adjourn a debate
- (vi) to adjourn a meeting
- (vii) to extend the time limit for speeches
- (viii) to exclude the public and press in accordance with the Access to Information Rules
- (ix) to not hear further a member named under Procedural Standing Order 22.3 or to exclude them from the meeting under Procedural Standing Order 22.4.

## 15.11 Closure motions

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

- (i) to proceed to the next business
- (ii) that the question be now put
- (iii) to adjourn a debate
- (iv) to adjourn a meeting.

15.11.2 If a motion to proceed to next business is seconded and the Mayor thinks the item has been sufficiently discussed, he/she will give the mover of the original motion a right of reply and then put the procedural motion to the vote.

15.11.3 If a motion that the question be now put is seconded and the Mayor thinks the item has been sufficiently discussed, he/she will put the procedural motion to the vote. If it is passed he/she will give the mover of the original motion a right of reply before putting his/her motion to the vote.

15.11.4 If a motion to adjourn the debate or to adjourn the meeting is seconded and the Mayor thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without

giving the mover of the original motion the right of reply.

#### **15.12 Point of order**

15.12.1 A member may raise a point of order at any time. The Mayor will hear it immediately. A point of order may only relate to an alleged breach of these Council Procedural Standing Orders or the law. The member must indicate the Procedural Standing Order or law and the way in which he/she considers it has been broken. The ruling of the Mayor on the matter will be final.

#### **15.13 Personal explanation**

15.13.1 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 Mayor (or Chair) on the admissibility of a personal explanation will be final.

#### **15.14 Waiving rules of debate**

15.14.1 Following a majority vote, the Council may waive its rules of procedure for the duration of the meeting in relation to length of speeches, speaking more than once, and rights of reply; ~~in respect of overview and scrutiny reports, reports containing recommendations from the Executive and such other classes of reports as the scrutiny committees shall recommend.~~

<b>Notes:</b>
<i>Considered that it should not be restricted to just these instances. Council receives reports from other committees.</i>

### **~~State of Blackpool Debate~~**

#### **~~Calling of debate~~**

~~15.1.1 The Leader of the Council will call a State of Blackpool debate annually on a date and in a form to be agreed with the Mayor.~~

#### **~~15.2 Form of debate~~**

~~15.2.1 The Leader of the Council will decide the form of the debate with the aim of enabling the widest possible public involvement and publicity.~~

#### **~~15.3 Chairing of debate~~**

~~15.3.1 The debate will be chaired by the Mayor.~~

#### **~~15.4 Results of the debate~~**

~~15.4.1 The results of the debate will be:~~

- ~~(i) disseminated as widely as possible within the community and to agencies and organisations in the area and~~



- (ii) ~~considered by the Leader of the Council in proposing the budget and policy framework to the Council for the coming year.~~

<b>Notes:</b>
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<i>This process has only been used on one occasion and it recommended that it be deleted.</i>
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**16. Previous decisions and motions**

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

16.1.1 A motion or amendment to rescind a decision made at a meeting of the Council (or a Committee or Sub-Committee) within the past three months cannot be moved.

**#16.2 Motion similar to one previously rejected**

16.2.1 A motion or amendment in similar terms to one that has been rejected at a meeting of the Council (or a committee or sub-committee) in the past three months cannot be moved unless the meeting decides otherwise on the grounds of altered circumstances or other good reasons.

**17. Voting**

#17.1 Unless this Constitution provides otherwise, any matter will be decided by a simple majority of those members voting.

17.2 For Council meetings, members must be present in the room sitting in the seats assigned to them in accordance with Procedural Standing Order 18.1, at the time the question was put.

**#17.3 Mayor's (or Chair's) casting vote**

17.3.1 If there are equal numbers of votes for and against, the Mayor (or Chair) will have a second or casting vote. There will be no restriction on how the right to a casting vote is exercised.

**#17.4 Show of hands**

17.4.1 Unless a recorded vote is demanded under Procedural Standing Order 17.5, the Mayor (or Chair) will take the vote by show of hands or, if there is no dissent, by the affirmation of the meeting.

**17.5 Recorded vote**

17.5.1 If five members present (at a full Council meeting only) expressly request it, the names of those voting for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. The names of members shall be called and each member present shall respond 'yes', 'no' or 'abstain'.

**#17.6 Right to require individual vote to be recorded**

17.6.1 Where immediately after the vote is taken and any member so requires, there shall be

recorded in the minutes of the Council (or committee or sub-committee) whether the member cast his/her vote for the question or against the question or whether he/she abstained from voting.

#### **#17.7 Recording of motions**

17.7.1 All motions moved, seconded and voted upon, shall be recorded in the minutes of proceedings, together with the decisions made.

#### **#17.8 Voting on appointments**

17.8.1 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.

### **18. Seating in the Council Chamber**

#### **18.1 Members of the Council**

18.1.1 Members shall be seated in the Council Chamber in political groups.

18.1.2 The Director of Governance and Partnerships (Monitoring Officer), after consultation with the political group Leaders, shall be responsible for the allocation of seats to political groups and, should there be any independent members, the allocation of seats to independent members.

18.1.3 The Leaders of political groups, having been notified of the seats allocated to their group, shall inform the Director of Governance and Partnerships (Monitoring Officer) of the allocation of individual seats to the remaining members of their groups.

#### **18.2 Members of the Press and public**

18.2.1 Members of the press shall only be seated ~~in the rear of the Council Chamber~~ in the seats allocated to them.

18.2.2 Members of the public shall only be seated in the balcony area of the Council Chamber.

18.2.3 The Director of Governance and Partnerships (Monitoring Officer) shall be authorised to allow exceptions to these rules when there are disabled members of the public present, or there are too many members of the public to be accommodated in the public gallery.

<b>Notes:</b>
<i>Members of the press do usually sit in the rear of the Council Chamber but it seems unnecessary to restrict it.</i>

### **19. Minutes**

#### **#19.1 Signing the minutes**

19.1.1 The Mayor (or Chair) will sign the minutes of the proceedings at the next suitable meeting and will move that the minutes of the previous meeting be signed as a correct record. Only the accuracy of the minutes may be discussed at that time.

**#19.2 No requirement to sign minutes of previous meeting at extraordinary meeting**

19.2.1 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.

**#20. Exclusion of public**

20.1 Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 4 of this Constitution or Procedural Standing Order 23 (Disturbance by Public).

**#21. Members' Interests**

21.1 If a member has a disclosable pecuniary interest or a prejudicial interest as defined in paragraph 10 of the Code of Conduct for Members ~~as defined in paragraph 9 of the Code~~ in any matter to be considered, or being considered at the meeting, then the Member should declare that interest to the meeting and should leave the room whilst any discussion or vote takes place.

21.2 If a dispensation has been granted to a Member in relation to a disclosable pecuniary interest the, subject to the terms of the dispensation, the Member may be relieved from the above restrictions but must declare the interest and the dispensation to the meeting.

<b>Notes:</b>
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<i>Updated numbering to reflect the new code of conduct.</i>
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**22. Members' conduct**

**22.1 Standing to speak**

22.1.1 When a member speaks at full Council, he/she must stand and address the meeting through the Mayor. If more than one member stands, the 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 offer a personal explanation.

**22.2 Mayor standing**

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

**22.3 Member not to be heard further**

22.3.1 If a member persistently disregards the ruling of the Mayor by behaving

improperly or offensively or deliberately obstructs business, the Mayor may move that the member be not heard further. If seconded, the motion will be voted on without discussion.

#### **22.4 Member to leave the meeting**

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

#### **#22.5 General disturbance**

22.5.1 If there is a general disturbance making orderly business impossible, the Mayor (or Chair) may adjourn the meeting for as long as he/she thinks necessary.

#### **23. Disturbance by public**

##### **#23.1 Removal of member of the public**

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

##### **#23.2 Clearance of part of meeting room**

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

#### **24. Suspension and amendment of Council Procedural Standing Orders**

##### **24.1 Suspension**

24.1.1 All of these Council Procedural Standing Orders, except Procedural Standing Orders 17.5 and 19.2, 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. Suspension can only be for the duration of the meeting.

##### **24.2 Amendment**

24.2.1 Any motion to add to, vary or revoke these Council Procedural Standing Orders will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council (with the exception of a written report from the Monitoring Officer proposing changes to the Constitution)

<b>Notes:</b>
<i>Proposed change above to add clarity.</i>