

Contact

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Motions Procedure

1. Submitting a motion

- 1.1. A member may submit an original motion to a Council meeting by giving written notice to the Chairman and Director of Corporate Services at least 10 clear working days before the date of the Council meeting.
- 1.2. The motion must relate to one of the Council's functions or affect the wider district.
- 1.3. Motions shall be limited to one motion per member per council meeting.
- 1.4. Motions shall normally be no longer than 300 words.
- 1.5. Members are encouraged to consult the Director of Corporate Services before the closing date for submission on the wording of their motions to ensure the wording complies with the Constitution.
- 1.6. The Chairman may consult with Group Leaders where the Chairman considers it would be helpful to their consideration of a motion. The Chairman, in consultation with the Director of Corporate Services, shall determine whether the motion will be:
 - a) Included within the agenda to be moved and debated at the next Council meeting.
 - b) Referred to the Cabinet or relevant Committee/Panel where the motion has legal, financial or other regulatory implications, in order that those implications can be fully considered and understood in the most appropriate forum.
 - c) Reworded to enable the motion to be debated at Full Council. For example, where the matter to be debated is an Executive function (which cannot be resolved at Full Council), it may be necessary for the motion to be reworded as a recommendation to the Cabinet or other committee to consider (taking into account the views of Council).
 - d) Rejected as it does not relate to a function of the Council or affect the wider district.
 - e) Rejected as, in the view of the Chairman having consulted with the Director of Corporate Services, it contains more than one, unrelated motion or is unreasonably lengthy.
 - f) Rejected as, in the view of the Chairman having consulted with the Director of Corporate Services, the motion is out of order, illegal, irregular

or improper.

- 1.7. The Director of Corporate Services will inform the Member who submitted the proposed motion of the Chairman's decision and the relevant criteria on which that decision was based. If a member disagrees with the basis of rejection they may raise this with the Monitoring Officer who will give their advice on this point to the member and the Chairman.
- 1.8. If more than one motion is accepted for any given Council meeting the motions will be taken in order determined by the Chairman in consultation with the Group Leaders. Any motions accepted in principle but which cannot be allocated time for debate will be published in the agenda with a clear note that they will be considered at a future meeting.

2. Motions without notice

The following motions may be proposed and seconded without prior notice:

- a) To appoint a Chairman of the meeting where the Chairman is absent.
- b) To amend the minutes of the previous meeting.
- c) To adjourn a debate.
- d) To adjourn a meeting.
- e) To propose a closure motion.
- f) To exclude the press and public in accordance with legislation.
- g) To propose an amendment/s to recommendation (see Section 3 below).
- h) Minor amendments which do not significantly change the meaning of a motion. (Such amendments will be dealt with orally during the meeting.)

3. Amendments

- 3.1. Amendments to a motion (called "amendments" in this procedure) which significantly change the meaning of a motion should be submitted to the Chairman and the Director of Corporate Services no later than midday two working days before the Council Meeting.
- 3.2. The amendment must relate directly to a motion that has been tabled in the agenda pack and must not be a new motion which would require 10 clear working days' notice. The decision whether to accept an amendment will be based on the rules relating to those for accepting motions as laid out in Section 1.6. The Chairman, in consultation with the Director of Corporate Services, will make this decision. The Director of Corporate Services will advise on the application of the Constitution, broader strategic and public law issues and obtain specific legal advice through the Monitoring Officer if needed.
- 3.3. Members are encouraged to share draft versions of their amendments with all Group Leaders, the Chairman and the Director of Corporate Services in advance of submission under section 3.1 of this procedure in order to avoid duplication, to encourage consideration and research by all Groups and in order to assist the effective running of the meeting.
- 3.4. The Director of Corporate Services will share all notified amendments with the

Council Chairman and relevant officers in order to ensure the smooth running of the meeting.

3.5. All amendments received in advance and accepted as outlined at section 3.2 above will be circulated to all members by email by twelve noon one working day prior to the meeting and in hard copy at the meeting.

4. Debating a motion

4.1. All matters as to timing or the application of this procedure at the meeting shall be subject to the general discretionary powers of the Chairman to ensure the efficient management of the meeting.

4.2. The time allowed for motions to be debated shall be restricted to 60 minutes in total. The time allowed for the proposer and the relevant Cabinet Member or committee Chair for any motion being debated shall be restricted to 5 minutes. Each other Speaker shall be restricted to 3 minutes. Each speaker is allowed to speak only once to the original motion and/or any amendment(s) unless a closure motion is put by any member other than the Chairman. If a closure motion is put the proposer or another member they nominate to speak on their behalf (only) may speak again in accordance with 4.11 below.

After the above closure motion process the Chairman will:

- a) If carried, close the debate and put the motion and any amendment(s) to the vote as 4.8 - 4.10 below, or;
- b) If the closure motion is not carried, allow the current motion being debated to conclude in the normal manner.

4.3. Any motion not debated will be deferred to a subsequent meeting of the Council.

4.4. At the Council meeting each motion must be proposed and seconded before it is debated.

4.5. The Chairman will invite the member who proposed the motion to speak first.

4.6. The Chairman will then invite any member who proposed an amendment in advance and then any Member who wishes to propose a minor amendment, to propose and second their proposal(s).

4.7. The Chairman will then invite the relevant Cabinet member or committee Chair to speak before inviting other members to speak in turn.

4.8. Following the debate the Chairman will first take a vote on the amendment(s), the result of which will be noted in the minutes of the meeting.

4.9. If there is no amendment, or the amendment vote is lost then the Chairman will take a vote on the original motion, the result of which will be noted in the minutes.

4.10. If there are multiple amendments submitted the Chairman shall

determine the order in which they are put to the meeting. The Chairman may consider it appropriate to consult the Group Leaders in making this determination

- 4.11. After a closure motion being put to the vote and that vote being carried the Chairman shall permit the member who proposed the original motion - or another member nominated by the Proposer - to speak again for no more than three minutes by way of closing their motion.
- 4.12. If a motion is referred to the Cabinet or relevant Committee/Panel the member who proposed the motion will be invited to address the Cabinet or Committee/Panel.

5. Delegations

For the avoidance of doubt, in the absence of the relevant person/s the following substitutes are authorised to carry out the above:

- a) For the Council Chairman, the Vice-Chairman
- b) For the Director of Corporate Services, the Divisional Manager for Democratic Services (or in the absence of both, the Democratic Services Manager, or any Director of the Council).

6. Annual Full Council and Budget setting meeting

- 6.1 The Chairman shall pay particular care as to whether motions submitted for inclusion at Annual Full Council and annual Budget setting meetings are relevant to the matters specific to those meetings or are otherwise so urgent as to make delaying the motion to a later meeting inappropriate.
- 6.2 Motions as to alternate budget proposals shall be submitted no later than ten working days in advance of the annual Budget Setting meeting as usual as in 1.1 above.
- 6.3 Due to the increased complexity associated with them, amendments which present alternative budget proposals shall also be submitted no later than ten working days in advance of the annual Budget Setting meeting, following 1.1 above rather than 3.1 as would normally be the case for amendments.
- 6.4 The Chairman shall not be required to apply the time limits set out at Section 4 of this procedure for the Annual Full Council or Budget setting meetings and will entirely rely upon their own discretion to enable proper debate and to ensure that the meetings are otherwise effective. The Chairman's other powers to control the meeting are unaffected by this section.