

FULL COUNCIL PROCEDURE RULES

1. ORDINARY MEETINGS OF THE FULL COUNCIL

Ordinary Meetings of the Full Council will take place as scheduled in the Calendar of Meetings.

1.1 Order of Business (Full Council)

Agendas for ordinary meetings of the Full Council will incorporate:

Formal and Procedural Session including:

- a) Apologies for absence.
- b) Declarations of interest from Councillors.
- c) Approve the Full Council minutes.
- d) Communications including Cabinet Announcements.
- e) Public Question Time.

Decision Making Debate Session including:

- f) Consider Petitions.
- g) Consideration of Full Council Recommendations and Call-In Decisions.
- h) Notices of Motion.

General Debate Session including:

- i) Councillors' Question Time.
- j) Receiving the minutes of the Cabinet, Overview and Scrutiny Commission and other Council Committees including Items for Debate.

NB: The order of business is at the discretion of the Mayor and some items will not be required at every Full Council Meeting.

1.2 Procedural Guidance for Each Agenda Item on the Order of Business

A. Apologies for Absence

- A.1. Receive notification of apologies for absence. Should the Mayor and Deputy Mayor not be present, the meeting shall elect a non-Cabinet Member to chair the meeting.

B. Declarations of Interest

- B.1. In accordance with the Code of Conduct for Councillors, Councillors are required to declare interests as appropriate. These declarations should only relate to items being debated by Full Council and are not necessary for items previously considered by Committees.

C. Full Council Minutes

- C.1. Each ordinary meeting of the Full Council will consider the minutes of the previous meeting. The Mayor will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy, and this must be undertaken through a Procedural Motion and voted on accordingly. Once the minutes have been agreed they shall be signed by the Mayor.
- C.2. An Extraordinary meeting of the Full Council will not consider the minutes of the previous meeting.

D. Public Question Time

D.1 Public Question Time (PQT) Procedure

Members of the public may ask questions at any Ordinary Full Council meetings with PQT lasting for a maximum of 30 minutes.

There are two methods for asking a question:

- a) Members of the public can submit a written question in advance of the meeting and a written answer will be provided on the evening of the Full Council. During the PQT the member of the public can ask a supplementary Question (relating to their original question).
- b) Members of the public can attend a Full Council meeting and may ask a question verbally during PQT. If wishing to, the public may ask a supplementary question (relating to their original question).

In asking a question in either form the questioner must confirm their name and the ward they live in.

D.2 Public Written Questions

- a) **Who May be Asked a Question:** A question will normally only be put to either:
 - The Mayor.
 - A Cabinet Member.
 - The Chair of any Committee.
- b) **How to Submit a Question:** Questions will be emailed to the Head of Governance, People & Performance or emailed to democratic.services@ Crawley.gov.uk. Questions should be received by noon one week before the meeting.
NB: In normal circumstances, where the meeting is to be held on a Wednesday, then it must be delivered by noon on Wednesday of the previous week.

Publication of Responses: The written Questions and Answers will be published in advance of the meeting via a Supplementary Agenda on the Council's website, and hard copies will be available at the venue on the evening of the Full Council meeting.

- D.3 **Scope of Questions:** The Mayor/Head of Governance, People & Performance may reject a question (or supplementary question) if, in their opinion, it:

- Is a statement and not a question.
- Does not relate to an issue for which the Council holds responsibility, or which specifically affects the Borough.

- Is defamatory, frivolous or offensive.
- Requires the disclosure of confidential or exempt information or relates directly to an individual's personal circumstances.
- Is substantially the same as a question which has been put to a meeting of the Council in the past 6 months.
- Relates to a specific planning or licensing application.
- In the case of a written question not being submitted before the defined deadline or is more than 100 words.

D.4 **Asking Questions Verbally at the Meeting**

- a) The Mayor will provide clear guidance on the procedure for public questions and will invite each questioner in turn to the lectern. Questioners will:
 - State their name and the ward in which they live.
 - Ask their question concisely to the Mayor.
- b) The Mayor will then invite the most appropriate Councillor, normally either the Leader, a Cabinet Member or a Committee Chair to reply and their response will be limited solely to replying to the question. No other Councillor will be able to respond.
- c) Those members of the public that submitted a written question will be invited to ask their supplementary question first. Only one supplementary question is allowed. That question must relate directly to their original question or the response.
- d) Those members of the public that have asked an oral question have the right to ask a supplementary question. Only one supplementary question is allowed. That question must relate directly to their original question or the reply.

NB: If several questions relate to the same issue, the Mayor may decide to receive those questions together and then seek to provide one overall response.

- D.5 **Written Answers to Oral Questions:** Any question which cannot be dealt with during public question time, either because of lack of time or because the information is not readily available, will be dealt with by a written answer.

E. **Communications**

- E.1 To receive communications from the Mayor, Leader, the Chief Executive or the Head of Governance, People & Performance.
- E.2 Also under the Communications item the Mayor may make presentations of awards/gifts to Former Councillors/Long Service Badges to serving Councillors, and allow tributes to be paid as appropriate.
- E.3 Cabinet Member Announcements. Any announcement or information relating to their Portfolio which Cabinet Members (with the exclusion of the Leader) wish to report to the Full Council will be included within the Order Paper.

The announcements/information must be emailed to democratic.services@crawley.gov.uk by midnight before the day of the meeting.

NB: In normal circumstances, where the meeting is to be held on a Wednesday, then the information must be received by midnight on the Tuesday, the day before the meeting.

- E.4 At the meeting itself the Mayor will allow any Cabinet Member to either expand upon their published announcement or to make a further urgent announcement verbally, with a maximum of 10 minutes available to be shared.

F. Petitions at a Full Council Meeting

- F.1 A petition received and containing more than 1,000 signatures of local residents will normally be debated at the next ordinary meeting of the Full Council.
- F.2 However, if that petition requests that a senior Council officer give evidence at a public meeting, this should occur at the Committee which has the appropriate authority to take such a decision which may, or may not, be the Full Council.
- F.3 A maximum of 30 minutes will be allowed at each meeting for considering petitions. Any petition(s) not fully debated within the 30 minutes will be referred to the relevant Cabinet Member for consideration or deferred until the next meeting of the Full Council.
- F.4 Within that maximum 30 minutes, the organiser of a petition will be given up to **five** minutes to present their petition at the Full Council meeting. The petition will then be discussed by Councillors. All petitions considered by the Full Council will be subject to a recorded vote where the decision is not unanimous.
- F.5 Details of the Council's Petition Scheme are contained in this Constitution.

G. Consideration of Full Council Recommendations and Call-In Decisions

- G.1 In most cases the recommendations for consideration by the Full Council will be contained within a minute from either the Cabinet, Overview and Scrutiny Commission or a Committee that has been held more than nine clear working days before the Full Council meeting.
- G.2 However, should a recommendation be made to the Full Council that is within that nine day period, that specific minute (not the full minutes of the meeting) will be put before the Full Council for its consideration.
- G.3 The Full Council agenda will include a hyperlink to the report associated with the recommendation being considered, to enable Councillors in advance of the meeting or at the meeting via a laptop/tablet to have sight of a copy of the report that they are making a decision on. In some case the full report itself may also be included within the agenda.
- G.4 In the case of an item being **Called-In**, the **Call-In** justification will also be included with the Full Council agenda, along with any other information agreed by the Monitoring Officer. See the Call-In Procedures for further information.
- G.5 For recommendations to the Full Council from a Committee the Mayor will invite the relevant Chair of the Committee to whom the recommendation relates, to move the recommendation, and in so doing present the item. Once moved a seconder will be sought.

- G.6 In the case of a recommendation coming from the Cabinet, the Leader (or in their absence whomever chaired the Cabinet) will move the recommendation. The Cabinet Member with portfolio responsibility for the item will second the recommendation and present the item.
- G.7 Amendments to Recommendations can be made. See Full Council Amendments (Paragraph 12).
- G.8 In the case of a recommendation from the Cabinet that has been **Called-In**, the same approach as in G.6 will be used. Once the item has been seconded the next speaker shall be the Councillor who called the item in. That Councillor will present their rationale for the **Call-In**.
- G.9 If the **Call-In** item relates to a decision taken by a Cabinet Member, then that Cabinet Member will move and present the recommendation, with the Leader seconding the decision. Once the item has been seconded the next speaker shall be the Councillor who called it in. That Councillor will present their rationale for the **Call-In**.
- G.10 In all cases listed above the Mover of the recommendation will have the right to reply at the end of the debate.
- G.11 **Recommendations not to be Debated** - Political groups can, in advance of the meeting (by 3pm on the day before the Full Council meeting), inform Democratic Services (acting on behalf of the Mayor) of any Full Council recommendations that they consider do not require debate.
- G.12 If all political groups highlight the same recommendation(s) **not to be debated** then these items will be listed as such in the Supplementary Agenda/Order paper.
- G.13 At the Full Council meeting itself once all 'debated' recommendations have been approved, the Mayor will invite the Deputy Mayor to move the undebated recommendations for approval. No debate should occur on these items.

H. Notices of Motion

- H.1 **Submitting Notices of Motion:** Any Notice of Motion must include signatures (electronic is acceptable) from both the Councillor(s) proposing the Motion and from a Councillor(s) seconding the Motion. The signed Motion must be emailed or handed to the Head of Governance, People & Performance or emailed to democratic.services@crowley.gov.uk at least nine clear working days' prior to the meeting.

NB: In normal circumstances, where the meeting is to be held on a Wednesday, notice must be delivered by midnight of the Wednesday evening two weeks before.

- H.2 **Evaluating a Notice of Motion:** The Monitoring Officer will consider all Notices of Motion to ensure they:
- Are signed and received correctly.
 - Relate to matters for which the Council has powers or duties.
 - Relate to matters which either affect, impact or are of significant concern to local residents.
 - Are not defamatory, frivolous, offensive, unlawful or improper.

- Do not seek to rescind a previous decision made at a meeting of the Full Council within the past six months unless they are signed by at least one third of the Councillors of the Council (13) or are in connection with a report or recommendation of a Committee or the Cabinet.
- Are not similar to a motion or amendment rejected by the Full Council in the past six months, unless they are signed by at least one third of the Councillors of the Council (13) or are in connection with a report or recommendation of a Committee or the Cabinet.

H.3 The Monitoring Officer will have the final say as to whether the Notice of Motion is valid, with the presumption in favour of it being valid.

If the Monitoring Officer feels the Notice of Motion received does not fully meet one of the above criteria, they reserve the right to reject the Notice of Motion or return it to the proposer to allow an alteration for resubmission.

If this occurs, the revised Notice of Motion must be approved by the Head of Governance, People & Performance by the agenda publication deadline. If the Notice of Motion is not included within the published agenda, it will not be debated at that Full Council Meeting.

H.4 **Publication of Notice of Motion:** All Notices of Motion will be published within the Full Council agenda and on the Council's website. The order in which Notices of Motion appear on the agenda will be determined by the order in which they were received.

NB: In advance of the meeting, or via a Procedural Motion, a Councillor may request that the Mayor change the point at which a Notice of Motion will be dealt with during the meeting. The Mayor will only agree, if they consider such a change would be convenient and conducive to the business.

H.5 **Notice of Motion Relating to Expenditure/Non-Full Council Functions:**

Any Notice of Motion, once moved and seconded, that either:

- Would result in a significant increase/reduction in capital or revenue expenditure.
- Does not relate to the functions of the Full Council.

will be adjourned and referred without discussion to the Cabinet or relevant Committee for consideration. At the next Ordinary meeting of the Full Council the findings/decision of the referral will then be reported back.

H.6 **How Notices of Motion will be dealt with at the Meeting:**

A Notice of Motion will follow the same procedure, including amendments as for Full Council Recommendations and Call-In Decisions as detailed in Paragraph 1.2(G).

I. Councillors' Question Time

I.1 Councillors' Question Time (CQT) Procedure

As with Public Question Time at any Ordinary Full Council meeting, there will be a maximum of **30** minutes for Councillors' Question Time (CQT). Councillors may ask questions relating to either a portfolio issue or with regard to the functions delegated to a Committee.

There are **two** methods for Councillors asking questions:

1. Councillors can submit written questions in advance of the meeting and written answers will be provided on the evening of the Full Council.
2. Councillors can also verbally ask questions during the CQT.

Councillors have the opportunity to ask oral supplementary questions in relation to either of the methods above.

I.2 Written Questions

- a) **How to Submit a Question:** Questions will be emailed or handed to the Head of Governance, People & Performance or emailed to democratic.services@ Crawley.gov.uk with at least four clear working days' notice of the meeting.

NB: In normal circumstances, where the meeting is to be held on a Wednesday, notice must be delivered by midnight of the Wednesday evening of the previous week.

- b) **Publication of Responses:** The written Questions and Answers will be published in advance of the meeting via a Supplementary Agenda on the Council's website and hard copies will be available at the venue on the evening of the Council meeting.

I.3 Asking Questions Verbally at the meeting

- a) Each Councillor asking solely an oral question has the right to ask one supplementary question, which must relate directly to their original question or the reply.
- b) Every question will be put and answered without discussion. An answer may take the form of:
 - A direct verbal answer.
 - Where a reply to the question cannot be given immediately, a written response will be provided.

I.4 Who May be Asked a Question: A Councillor may only ask a question to either:

- The Mayor.
- A Cabinet Member.
- The Chair of any Committee.

I.5 Rejection of Questions

A Councillor question, either written or verbal, may be rejected if it:

- Is a statement and not a question.
- Is defamatory, frivolous or offensive.

- Requires the disclosure of confidential, personal or exempt information.
- Does not relate to an issue for which the Council holds responsibility, or which specifically affects the Borough.
- Is substantially the same as a question which has been put to a meeting of the Council in the past 6 months.
- Would incur disproportionate cost and time to answer and the Head of Service, having consulted with the relevant Cabinet Member, makes a decision not to provide an answer on those grounds (written questions only).
- does not relate to a matter for which that individual is responsible*
 - * The Monitoring Officer may use their discretion to forward such questions to the appropriate person.

J. Receiving the Minutes of the Cabinet, Overview and Scrutiny Commission and Other Council Committees Including Reserved Items for Debate

J.1 The Full Council will receive a copy of all Cabinet, Overview and Scrutiny Commission and other Council Committee minutes that had been held more than nine clear working days before the Full Council meeting. The minutes will be contained in the Full Council agenda.

J.2 Political groups can in advance of the meeting (by 3pm on the day before the Full Council meeting) inform Democratic Services (acting on behalf of the Mayor) about any items contained within the minutes that they wish to reserve for debate - Reserved Items (RI).

J.3 In reserving items for debate political groups may not reserve items:

- That could/have been discussed earlier on the Full Council agenda.
- Previously debated and decided upon at an Extraordinary Meeting of the Full Council held earlier in the same Committee cycle.
- Or in the case that an item has been considered at multiple meetings, only the item in the minutes of one of those meetings can be reserved for debate.

NB: The Full Council cannot change the contents, or amend for accuracy purposes, any of the Committees' minutes. That is the responsibility of each individual Committee when those Committees are asked to approve their own minutes.

J.4 The list of reserved items will be published in advance of the Full Council meeting (in the Order Paper or the equivalent documentation).

J.5 Debating Reserved Items (RI)

Using the published list of RI, the Mayor will take in chronological order each RI in turn for discussion.

J.6 The Mayor, for each RI, will invite the Councillor/representative from the Group who has reserved the item to speak first. The last person to speak on these items will either be the appropriate Cabinet Member or Committee Chair. No votes will be taken on these items.

J.7 Once all the RI have been discussed, the Mayor will invite the Deputy Mayor (or the Mayor's nominee in the absence of the Deputy Mayor) to formally move the receipt of those minutes, without the need for a seconder.

NB: There shall be no debate on any item previously debated and decided upon at an Extraordinary Meeting of the Full Council held earlier in the same Committee cycle.

2. ANNUAL MEETING OF THE FULL COUNCIL

2.1 Order of Business

The Annual Meeting will:

- a) Elect a non-Cabinet Member to chair the meeting, should the outgoing Mayor and Deputy Mayor not be present.
- b) Receive any apologies for absence.
- c) Receive any declarations of interest from Councillors.
- d) Elect the Mayor for the forthcoming year (including their investiture).
- e) Elect the Deputy Mayor for the forthcoming year (including their investiture).
- f) Hold the investiture of the Youth Mayor and Youth Deputy Mayor for the forthcoming year (if required).
- g) Extend a vote of thanks to the outgoing Mayor and their Consort.
- h) Extend a vote of thanks to the outgoing Deputy Mayor and their Consort (if required).
- i) Approve the Full Council minutes.
- j) Receive any communications.
- k) Receive the Returning Officer's report of results of elections.
- l) Elect the Leader if required (as set out in The "Executive" Function (The Leader and the Cabinet) section of this Constitution).
- m) Receive the Leader's written record of delegations made by them for "Executive" functions for inclusion in the Council's Scheme of Delegation.
- n) Agree the scheme of delegation relating to the Council and its Committees (as set out in Section 1 of this Constitution).
- o) Review the political proportionality of Committees and appointments to Outside Bodies for the forthcoming municipal year, and agree the following:
 - The Committees to be established (one of which must be a scrutiny Committee) to deal with matters which are not functions of the Full Council or the "Executive" (as set out in Section 1 of this Constitution).
 - The terms of reference for those Committees.
 - The size and allocation of seats (and substitutes if any – one for each political group which hold seats on that Committee) to the political groups in accordance with the political proportionality rules.
 - Nominations from party group leaders of Councillors to serve on each Committee and Outside Body (which is not an "Executive" function).
 - The Chairs and Vice Chairs of those Committees and appointments to Outside Bodies will be allocated in accordance with the guidance set out in the Introduction to Decision Making section of this Constitution.

NB: The Head of Governance, People & Performance will have the authority, during the Council year, to vary the appointments to Committees, Sub-Committees and Outside Bodies to give effect to the wishes of a political group in relation to seats allocated to it subject to the change being reported to Councillors.

- p) Consider any urgent business (with the exception of petitions).

3. EXTRAORDINARY MEETINGS OF THE FULL COUNCIL

3.1 Requesting an Extraordinary Meeting of the Full Council

An Extraordinary meeting of the Full Council will be called at the request of:

- a) A resolution of the Full Council.
- b) The Mayor.
- c) The Monitoring Officer.
- d) Any nine Councillors, if they have signed a request which has been presented to the Mayor, and the Mayor has either:
 - Refused to call a meeting.
 - Failed to call a meeting within seven working days of the presented request.

Any request must state the business to be transacted, and why such business cannot be delayed until the next scheduled Ordinary meeting of the Full Council.

3.2 Notification of an Extraordinary Meeting of the Full Council

Notice of the time, date and place of any Extraordinary Meeting of the Full Council will be sent by the Head of Governance, People & Performance to every Councillor no less than five clear working days before the meeting is to be held.

3.3 Order of Business

Agendas for extraordinary meetings of the Full Council will only incorporate:

- a) Apologies for absence.
- b) Declarations of interest from Councillors.
- c) Dealing with any business required by statute.
- d) Dealing with the business specified in the request to hold the Extraordinary Meeting.
- e) Considering any urgent business (with the exception of petitions).

The Rules of Debate will be the same as the procedures for Ordinary meetings of the Full Council.

NB: There is no consideration or signing of minutes from a previous Full Council meeting nor will there be public questions. However, the Mayor has the discretion to hold public questions if they consider it to be beneficial to the business specified in the request to hold the Extraordinary Meeting.

4. INTERPRETATION OF THE PROCEDURE RULES

- 4.1 The Mayor, or in their absence the Deputy Mayor/the person chairing the meeting, will decide on all matters of order and interpretation of these rules and their decision will be final and not open to discussion. In presenting a ruling they must explain their decision.
- 4.2 In reaching their decision, they must give due consideration to the advice of the Monitoring Officer. The Mayor may defer to the Monitoring Officer to provide the interpretation on their behalf.

5. ROLE AND FUNCTION OF THE MAYOR

- 5.1 The Mayor, or in their absence the Deputy Mayor/the person chairing the meeting, will have the following roles and functions:
- a) To uphold the values of the Council and to uphold and promote the Constitution.
 - b) To chair Full Council meetings in a fair and impartial manner, ensuring Councillors treat each other with respect.
 - c) To ensure that the Full Council debates matters of concern to the local community.
 - d) To promote public involvement in the Council's activities.
 - e) To represent the Council at civic and ceremonial functions.

6. NOTICE AND SUMMONS TO MEETINGS

- 6.1 The Head of Governance, People & Performance will give notice to the public of the time and place of any meeting of the Full Council in accordance with the Access to Information Procedure Rules. The summons (in the form of an agenda) will be published at least five clear working days before a meeting and will detail the time, location and items to be discussed including any associated reports being considered.

7. ATTENDANCE AT THE MEETING

- 7.1 **Apologies for Absence:** Councillors who have conveyed their apologies for absence will be recorded as such in the minutes. Councillors who are not in attendance, but who have not conveyed their apologies, will also be recorded in the minutes of a meeting as being absent.
- 7.2 **Quorum:** The quorum of a Full Council meeting shall be more than one third of the Councillors of the Council (13). If a meeting remains inquorate 15 minutes after its scheduled start time, an officer (usually a member of the Democratic Services team) will announce that the meeting is inquorate and those present will be requested to informally agree to either reconvene at a later date or defer items on the agenda to a future scheduled meeting.

8. DURATION OF MEETING

- 8.1 **Commencement:** All Full Council meetings will commence at 7.30pm, unless the summons/agenda issued by either the Chief Executive or the Head of Governance, People & Performance, following consultation with the Mayor, alters this time.
- 8.2 **Concluding the Meeting:** The business of any Full Council meeting should conclude within 2 ½ hours (normally 10.00 pm), unless a vote(s) for continuing the meeting has been passed.
- 8.3 **Vote to Extend the Meeting:** If the business of the meeting has not been completed within 2 ½ hours, the Mayor will call for a vote to extend the meeting for up to 30 minutes. A simple majority is required for the meeting to continue.

If required, following the meeting's initial extension, further votes may be taken to extend the meeting by periods not exceeding 30 minutes in each case. However, if the Full Council is held outside of the Town Hall no further extensions may be called to extend the meeting beyond that period (normally 11.00pm) when the guillotine will come into effect.

- 8.4 **Guillotine:** The use of the guillotine process comes into effect once either a vote to extend has been lost or, where the meeting is held outside the Town Hall, the meeting has reached 11.00pm.

The Guillotine process is:

- a) **Motions and Recommendations Not Dealt With:** If there are any Notices of Motion or recommendations on the agenda that have not been dealt with, they are deemed formally moved and seconded (together with any amendments). No speeches will be allowed on these items and the vote will be taken in the usual way. This process will also apply in instances where the Council is statutorily required to make a decision about a matter before a particular date.
- b) **Recorded Vote:** If a recorded vote is called for during this process, it will be taken immediately.
- c) **Procedural Motions Which May Be Moved:** During the guillotine process, the only other Procedural Motions which may be moved are that a matter be withdrawn or referred to an appropriate body or individual for decision or report.
- d) **Closure of the Meeting:** When all Motions and recommendations have been dealt with, the Mayor will declare the meeting closed.

9. SPEECH LENGTH

- 9.1 During Full Council meetings Councillors are limited to speaking rights of no more than **five** minutes per item/discussion. This includes raising questions and responding.
- 9.2 A count down of the five minutes will be shown by a projection within the room. Councillors are required to adjust their speeches to fit their set time.
- 9.3 If Councillors exceed their allotted time, the Mayor is required to confirm that their microphones have been cut off and will remind the Councillors that their allotted time is up.

- 9.4 The exceptions to the **five** minute limit are:
- The Mayor has no limits on their speaking rights.
 - At the Annual Meeting the retiring Mayor, making their End of Term Official Speech.
 - For their speeches on the annual Budget/setting the Council Tax report, the Leader of the Council and the Leader of the Opposition will be entitled to speak for ten minutes.
 - The use of Right to Reply, where the mover of a motion has received a further **five** minutes to reply.
- 9.5 The Mayor retains the right to extend any Councillor's speaking time beyond **five** minutes if they feel, in an exceptional circumstance, it is in the public interest to do so.

10. VOTING

- 10.1 **Procedure:** The Mayor will give clear instructions and guidance when a vote is to be taken, this may include an explanation as to the question being voted upon and a summary of the debate.

The Mayor will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting unless a recorded vote is requested. All Councillors will be expected to indicate their voting intentions clearly.

- 10.2 **Majority:** All matters will be decided by a simple majority of those Councillors voting and present in the room at the time the question is put to the vote. The Mayor will ascertain the numbers voting for or against any question, or not voting on it and shall announce those numbers and declare the result.
- 10.3 **Mayor's Casting Vote:** If there are equal numbers of votes for and against, the Mayor or the person presiding will have a second or casting vote. There will be no restriction on how the Mayor chooses to exercise a casting vote.
- 10.4 **Recorded Vote:** A recorded vote will be taken:
- a) If in advance of the meeting a Political Group Leader or Secretary has made a request to the Mayor via Democratic Services. This where possible will be included in the Supplementary Agenda/Order paper.
 - b) If any **two** Councillors indicate and request it at the meeting.
 - c) On all petitions where the decision is not unanimous.
 - d) On any decision relating to the Annual Budget and Council Tax. This includes any amendments proposed at the meeting, substantive budget motions to agree the Budget, and setting Council Tax, including precepts in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014.

In the event of a recorded vote, the Head of Governance, People & Performance shall call the names of each Councillor present in alphabetical order. Each Councillor will then declare themselves for or against the motion or abstaining from voting. This process will be taken down in writing and entered into the minutes. The Mayor will declare the result.

- 10.5 **Right to Require Individual Vote to be Recorded:** Any Councillor may request that the minutes record how they voted, be it for, or against or abstaining from voting. Such a request must be made immediately after the relevant vote is taken.
- 10.6 **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.

11. PROCEDURAL MOTIONS

11.1 Procedural motions, as listed below, may be moved without notice:

- a) **Point of Order:** A point of order is a request from a Councillor to the Mayor to rule on an alleged legal or procedural irregularity relating to the meeting. A Councillor may raise a point of order at any time and the Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Full Council Procedure Rules or the law, and the Councillor raising the matter must indicate how they believe it has been breached. The ruling of the Mayor on the matter will be final.
- b) **Personal Explanation:** A Councillor may make a personal explanation at any time to clarify an aspect of an earlier speech they have made which appears to have been misunderstood in the present debate. The ruling of the Mayor on the matter will be final.
- c) Elect a non-Cabinet Member to chair the meeting, should the Mayor or Deputy Mayor not be present.
- d) Contest the accuracy of the minutes.
- e) To change the order of business in the agenda.
- f) To refer something to an appropriate body or individual.
- g) To appoint a Committee or Councillor(s) to a Committee, arising from an item on the summons for the meeting.
- h) To receive reports or adoption of recommendations of the Cabinet, Committees or officers and any resolutions following from them.
- i) To withdraw a motion.
- j) To extend the time limit for Full Council speeches.
- k) To make a verbal amendment to a motion, that is less than 8 words – (further information on verbal amendments can be found in Rule 12.4).
- l) To proceed to the next business.
- m) That the item/issue now be voted upon.
- n) To adjourn a debate.
- o) To adjourn a meeting.
- p) To authorise the sealing of documents.
- q) To suspend a particular Full Council Procedure Rule.
- r) To exclude the public and press in accordance with the Access to Information Procedure Rules.
- s) To not hear further a Councillor named under Rule 16.5 or to exclude them from the meeting under Rule 16.6.

t) To give the consent of the Council where its consent is required by this Constitution.

** NB: Once a procedural motion (with the exception of (a) and (b) above) has been moved and seconded, a vote on the matter will be taken immediately.*

12. AMENDMENTS

- 12.1 This procedure is for use with both proposed amendments to Full Council recommendations and Notices of Motion.
- 12.2 An amendment **MUST** only seek to make the following change(s) to the original recommendation or Notice of Motion:
- a) Refer the matter to an appropriate body or individual for (re)consideration.
 - b) Remove words.
 - c) Replace words.
 - d) Insert additional words.
- 12.3 An amendment **MUST NOT**:
- a) Add unrelated issues to the original recommendation or Notice of Motion.
 - b) Have the effect of introducing a new proposal into the debate.
 - c) Have the effect of negating the original recommendation or Notice of Motion.
- 12.4 **Verbal Minor Amendments:** The procedure for dealing with verbal minor amendments (of less than 8 words) will follow the same process as that for written amendments and will be dealt with after all written amendments have been voted upon, unless the amendment is for clarification purposes.
- 12.5 **Written amendments:** All amendments that are more than 8 words must be in written form in advance of the commencement of the meeting in which the item being amended is being discussed.
- 12.6 **Submitting an Amendment:** Amendments will be emailed or handed to the Head of Governance, People & Performance or emailed to democratic.services@ Crawley.gov.uk by 10.00am on the day of the meeting.
- 12.7 **Evaluating an Amendment:** The Head of Governance, People & Performance will evaluate an amendment against the criteria set out in Paragraphs 1.2(H.2), 12.2 and 12.3. They reserve the right to reject the amendment accordingly.
- 12.8 All written amendments should be published and circulated to all Councillors in the Order Paper in advance of the meeting.
- 12.9 **At the Meeting:** An amendment will be dealt with as follows:
- a) Once the item has been formally moved, presented and seconded, the Mayor will then take any published amendments in turn.
 - b) A mover will be sought to move and present the published amendment, they do not need to be a signatory.
 - c) A seconder will be sought. If the amendment is not seconded, the amendment will fall and will not be discussed. The seconder may reserve their right to speak later in the debate.

- d) Once all the amendments have been moved and seconded the Mayor will open the debate on the amendment(s) and the original Recommendation/Notice of Motion.
 - e) Once the debate has concluded the mover of the original Recommendation/Notice of Motion will have the final right to reply.
 - f) Then each amendment will be voted upon separately, in the order they were moved. The Mayor will clearly announce the amendment being voted on before the vote commences and after each vote the Mayor will read out the decision.
 - g) If an amendment is carried, the Recommendation/Notice of Motion as amended will then become the substantive motion/recommendation.
 - h) Once all amendments have been debated and voted upon, a vote will then be taken on the substantive motion/recommendation and the decision will be read out by the Mayor.
- 12.10 The Mayor retains the right, in consultation with the Head of Governance, People & Performance, to hold an individual debate including the voting on the amendment(s), if it is deemed that this approach would be conducive to the debate. This would be made clear to all present if this was the case.

13. SUSPENSION OF FULL COUNCIL PROCEDURE RULES

- 13.1 All Full Council Procedure Rules, except Rules 1.2(C1) (signing of minutes) and 10.4 (holding a recorded vote), may be suspended if they receive a majority of support from Councillors present, as set out in Rules 10.2 (majority) and 10.3 (Mayor's casting vote). Suspension will only apply for the duration of that meeting.

14. EXCLUSION OF PUBLIC FOR DISCUSSIONS IN EXEMPT SESSION

Members of the public and press may only be excluded either in accordance with the Access to Information Procedure Rules of this Constitution or Rule 17 (Disturbance by Public).

15. URGENT ACTION

- 15.1 If urgent action is required in respect of any Full Council function before a decision can be taken by the Full Council, a written report will be prepared for consideration by the Chief Executive. The Chief Executive may after consultation and agreement in writing from the Mayor, take a decision and any necessary action as appropriate in relation to that matter.
- 15.2 Should the Mayor not be available for consultation, the Deputy Mayor shall be consulted in their absence.
- 15.3 Every such decision shall be reported to the next available Ordinary Meeting of the Full Council.

16. COUNCILLORS' CONDUCT

In addition to the general requirements of the Code of Conduct for Councillors, the following shall apply to meetings of the Full Council:

16.1 Every Councillor present at the meeting shall:

- a) Treat others with courtesy and respect.
- b) Conduct themselves in a way which does not cause offence to others or limits in any way others' ability to participate at the meeting.
- c) Only speak when called on by the Mayor or speak through the Mayor.

16.2 Unacceptable conduct includes:

- a) Using abusive or inappropriate language, or making comments of a personal nature about another person.
- b) Derogatory remarks or actions.
- c) Preventing others from expressing their views by interrupting or talking while they are speaking.

16.3 Only One Councillor Shall Speak at a Time: A Councillor, when speaking, shall address the Mayor. If two or more Councillors indicate a wish to speak, the Mayor shall call on one to speak and any others shall wait to be called. While a Councillor is speaking other Councillors shall remain quiet, unless raising a procedural motion.

16.4 Mayor Speaking: When the Mayor speaks during a debate or stands in the Council Chamber any Councillor speaking at the time must stop. The meeting must be silent.

16.5 Councillor Not to be Heard Further: If a Councillor persistently disregards the ruling of the Mayor by behaving improperly or offensively or deliberately obstructs business, the Mayor or another Councillor may move that the Councillor not be heard further. If seconded, the motion will be voted on without discussion.

16.6 Councillor to Leave the Meeting: If the Councillor continues to behave improperly after such a motion is carried, the Mayor may move that either the Councillor leaves the meeting or that the meeting is adjourned briefly and in any event for no longer than 15 minutes. If seconded, the motion will be voted on without discussion. If a motion that the Councillor leave the room is carried, the Councillor will leave the room immediately.

17. DISTURBANCE BY PUBLIC

17.1 If there are general disturbances by a member of the public, the Mayor has a number of powers, including:

- a) To warn a particular person or order their removal from the meeting.
- b) To adjourn the meeting to allow order to be restored.
- c) To clear all or part of the public areas as necessary.
- d) To adjourn the meeting to another date and time as the Mayor deems appropriate so that the business of the meeting can be conducted.