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# **Council Procedure Rules**

## **Report by the Head of Democratic and Central Services**

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### **1. INTRODUCTION**

- 1.1 The Council has approved the recommendations of the Structure Review Working Party with regard to a change in format of Council meetings, including the introduction of headline debates and Cabinet 'white paper' proposals.
- 1.2 The Council Procedure Rules (Standing Orders) specify the rules of debate that apply during meetings of the Council. These include a requirement for a Motion to be seconded before it can be debated, an inability for a Member to speak more than once except in certain prescribed instances, amendments to motions etc. It was felt during the course of the discussion on the Working Party's recommendations by Council on 22nd April that the rules of debate would hinder a free flowing discussion and exchange of views when the headline debate and white paper items were being considered by Council. The Working Party was therefore asked to look at this matter again in the light of its on-going deliberations.

### **2. RULES OF DEBATE**

- 2.1 Rather than compile new rules of debate for such circumstances, the Working Party's view is that the most appropriate course is for Council Procedure Rule 11 to be suspended for the items relating to the headline debate and white paper items only. In its absence, common law rules of debate would apply. Members will realise that a greater onus is being placed on the Chairman to chair the discussion in a flexible and open manner and that he will be obliged to exercise some discretion in his interpretation of common law principles.
- 2.2 Council Procedure Rules can be suspended by a majority vote as long as two thirds of the Members are present. However they can only be suspended on a meeting by meeting basis. In the event of difficulties being encountered in terms of the absence of formal rules of debate on the agenda items in question, it is open to the Council to decide not to suspend the Rules of Debate at a subsequent meeting. It is therefore in the interests of all Members not to take advantage of the absence of this element of the Procedure Rules.

### **3. CONCLUSION**

- 3.1 To facilitate the intended full exchange of views and a free flowing discussion, the Council is therefore invited to consider suspending the

formal rules of debate. In the event that this leads to problems being encountered, further consideration may need to be given to the drafting of formal alternatives or a reversion to the existing Rules which may constrain the headline debate.

#### **4. RECOMMENDATION**

4.1 It is therefore

##### **RECOMMENDED**

**that Council Procedure Rule 11 (Rules of Debate) be suspended for the duration of the discussion on Item Nos. 7 and 8 on the Agenda and at such time, the common law rules of debate be observed by Members and applied by the Chairman.**

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#### **BACKGROUND DOCUMENTS**

The Council's Constitution  
Knowles on Local Authority Meetings – A Manual of Law and Practice