

Part Four - Procedure Rules

Section A - Council Procedure Rules

The Council Procedure Rules explain:

- How Full Council meetings are conducted and managed and
- How these Rules are applied to meetings of committees and sub-committees.

Rule 1 - Annual Meeting

1.1 In a year when there is an ordinary election of the Elected Mayor and Councillors, the Annual Meeting will take place either:

- On the eighth day after the retirement of the outgoing Mayor / Councillors, or
- On any other day that the Council may fix within 21 days following the retirement of the Mayor / Councillors.

1.2 In any other year, the Annual Meeting will usually take place on a date to be agreed in May.

Purpose of Annual Meeting

1.3 The Annual Meeting will:

- Elect a person to preside if the outgoing Speaker or Deputy Speaker is not present;
- Elect the Speaker;
- Elect the Deputy Speaker;
- In an election year, receive the report on the results of the elections of the Mayor and Councillors to the various wards in the borough and the acceptance of office of persons elected;
- Approve the minutes of the last Ordinary Meeting;
- Receive any announcements from the Speaker and / or Head of Paid Service;
- Establish Committees;
- Approve the membership of the established Committees and the nominations for the Chairs and Vice-Chairs of these Committees in accordance with legal rules regarding proportionately between the different political parties;

- Appoint substitutes to the established Committees, with the exception of the statutory Licensing Committee. Each party will have the same number of substitutes reflecting the full membership of the Committees;
- Receive nominations and appoint Councillors to serve on outside bodies where the appointment is the responsibility of Full Council;
- Receive a statement from the Elected Mayor outlining their priorities for the year ahead and, where appropriate, reflecting on the previous year. The Leader(s) of the Opposition Group(s) will be invited to respond;
- Be advised by the Elected Mayor about the composition of the Cabinet for the coming municipal year and the names of those persons they have chosen to be Councillors of the Cabinet, Mayoral Advisers and Mayoral Champions;
- Be advised by the Elected Mayor about the establishment of any Executive Committees for the coming year, and the names of Councillors they have chosen to be members of such Committees;
- Be advised by the Elected Mayor about the Scheme of Delegation for executive functions;
- Approve a calendar of Ordinary Meetings of Full Council for the year;
- Approve a calendar of Ordinary Meeting of Council Committees, Sub-Committees and the Executive for the municipal year; and
- Consider any additional business set out in the notice convening the meeting.

Rule 2 - Ordinary Meetings

2.1 Ordinary Meetings of the Full Council will take place in accordance with the calendar of meetings agreed at the Council's Annual Meeting. Ordinary meetings will:

- Elect a person to preside if the Speaker and Deputy Speaker are not present;
- Receive apologies;
- Receive any announcements from the Speaker;
- Approve the minutes of the previous Ordinary Meeting, any Extraordinary Meeting and, where relevant, the Annual Meeting;

- Receive any declarations of interest from elected members;
- Receive deputations or petitions of which notice has been given and which are included on the agenda;
- Receive questions from, and provide answers to, members of the public and Councillors which have been included on the Full Council agenda;
- Deal with any business outstanding from the last Full Council meeting;
- Receive a statement from the Elected Mayor (or the Statutory Deputy Mayor in the Elected Mayor's absence), should they wish to make such a statement. The Leader(s) of the Opposition Group(s) will be invited to respond;
- Receive any reports from the Cabinet, the Elected Mayor and Cabinet Councillors and the Council's Committees;
- Receive any reports from Officers;
- Receive reports from an Independent Panel on disciplinary action or dismissal of specified statutory senior officers;
- Consider any motions listed on the agenda;
- Agree any changes in membership or chairmanship of committees; and
- Consider any other business specified in the summons to the meeting.

2.2 The Speaker may vary the order of business and may take urgent items (as specified in the Access to Information Procedure Rules) at their discretion.

Rule 3 - Extraordinary Meetings

Calling Extraordinary Meetings

- 3.1 The following may request that the Monitoring Officer call a meeting of Full Council in addition to the ordinary meetings set out in the Council's calendar of meetings:
- i) Full Council by resolution;
 - ii) The Speaker;
 - iii) Any five elected members of the Council if;

- they have each signed a written request to call a meeting, providing reasons for that request, and sent this to the Speaker; and
- the Speaker has either refused to call a meeting or has failed to call a meeting within seven days of the date the request was sent.

3.2 The Monitoring Officer may call an extraordinary Full Council meeting.

Business

3.3 Only matters raised in the request for an extraordinary meeting may be discussed at that meeting.

Time and Place of extraordinary meetings

3.4 The Monitoring Officer will decide the time and place of any extraordinary meeting, after consultation with the Speaker.

Rule 4 - Notice of summons to meetings

4.1 The Chief Executive will give notice to the public of the time and place of any meeting, in accordance with the Access to Information Rules. At least five clear working days (not including the date of the meeting, the date of publication or bank holidays) in advance of a meeting, the Chief Executive will send a summons signed by them to every Councillor of the Council or leave it at their usual place of residence.

4.2 The summons will give the date, time and place of each meeting and specify the business to be considered and will be accompanied by such reports as are available. A Councillor may consent to the summons being transmitted in electronic form to a specified electronic address.

Rule 5 - Chair of meeting

5.1 The Speaker will preside at all meetings of Full Council if they are present.

5.2 If the Speaker is absent the Deputy Speaker will preside.

5.3 If the Deputy Speaker is unable or unwilling to preside, then Full Council shall appoint another elected member (other than the Elected Mayor, Statutory Deputy Mayor or any other Councillor of the Cabinet) to do so for the duration of the meeting.

- 5.4 The person presiding at the meeting may exercise any power or duty of the Speaker.

Rule 6 - Quorum

- 6.1 The quorum, or number of Members of Full Council needed to be present at a meeting for it to take place, is one quarter of the total number of elected members.
- 6.2 If there is no quorum when the meeting is due to start, those present will wait for 20 minutes to see if a quorum can be achieved. If after 20 minutes there is still no quorum, the meeting will be abandoned.
- 6.3 If, during any meeting a quorum is not present, the meeting will adjourn immediately for a maximum of 20 minutes. If during that time a quorum is achieved, the meeting will resume. If at the end of that time a quorum is not achieved, then the meeting will be abandoned.
- 6.4 Any business not carried out due to a lack of quorum will be adjourned to a specified date and time or the next ordinary meeting.

Rule 7 - Duration of Meeting

- 7.1 Meetings must end by 10pm. When the business of the meeting has not finished by 10pm, the meeting will be adjourned, or held over, to another agreed time, unless there is a motion, or request, for the meeting to continue. The request can be made without notice and must be seconded. The request must be made by 9:50pm. An extended meeting must conclude by 10:30pm.
- 7.2 Remaining business not dealt with under Rule 7.3 will be considered at a time and date fixed by the Speaker. If they do not fix a time and date, any remaining business not dealt with under Rule 7.3 will be considered at the next ordinary meeting.
- 7.3 At the end of the meeting, the remaining business on the agenda shall be dealt with as follows:
- i) If a report, a motion or an amendment to a motion is still being discussed, the Councillor speaking at the time may continue speaking for the remainder of the time allowed for speeches under these rules;

- ii) The relevant Councillor who moved the report or substantive motion shall have a right of reply before the motion or amendment is put to the vote. No other right to reply is allowed;
- iii) All outstanding reports shall be deemed to have been moved for adoption, and motions and amendments moved and seconded;
- iv) The Chair shall put the remaining matters on the agenda to the meeting in turn without discussion. Full Council will decide and, if necessary, vote on each item without discussion;
- v) Voting will be by show of hands with no questions or division, procedural or other motion being permitted. Any Councillor wishing to record personal dissent shall indicate forthwith to the chair;
- vi) Any outstanding individual Councillors motions are referred to a relevant committee or the Cabinet, unless the mover of the motion has requested that it be voted on at the meeting; and
- vii) When all motions and recommendations have been dealt with, the Chair will declare the meeting closed.

Rule 8 - Elected Mayor's statement

- 8.1 The Elected Mayor (or the Statutory Deputy Mayor in the Elected Mayor's absence) may make a statement at any Ordinary Meeting of Full Council on any issue.
- 8.2 Following this statement, the Leader(s) of the Opposition Group(s), or the Deputy Opposition Group Leader(s) in the Group Leader(s) absence, will be given the opportunity to respond.
- 8.3 Following the Opposition's right to respond, the Elected Mayor will have a right of reply.
- 8.4 All such speeches will follow the rules set out in Rule 17.4.

Rule 9 - Questions by the public

General

- 9.1 At ordinary meetings of the Full Council, any person who lives, works or studies in the Borough may ask questions of

- i) the Elected Mayor;
- ii) Councillors of the Cabinet;
- iii) Mayoral Advisors;
- iv) Committee Chairs; or
- v) Councillors as representatives on external bodies.

Notice of questions

- 9.2 A question may only be asked if the Monitoring Officer has received notice in writing or by email no later than 12 noon, four clear working days in advance of the Full Council meeting.
- 9.3 The notice must state which elected member the question is to be addressed to and the name and address of the questioner.

Number and length of questions

- 9.4 No person may submit more than one question to a meeting of Full Council and the question shall be limited in length to fifty words.

Scope of questions

- 9.5 The Monitoring Officer may reject a question if it:
- i) Is not about a matter for which the local authority has a responsibility, or which affects the Borough;
 - ii) Is defamatory, frivolous, offensive or vexatious;
 - iii) Is substantially the same as a question, motion, petition or deputation which has been put at a Council meeting in the past six months;
 - iv) Requires the disclosure of confidential or exempt information or relates to a safeguarding matter;
 - v) Relates to an individual planning or licensing application; or
 - vi) Relates to something which is the subject of any actual or contemplated legal proceedings in which the Council is involved either as a claimant, defendant or interested party. This also includes any matters which are the subject of mediation.

- 9.6 The Monitoring Officer will include all valid questions on the Full Council agenda. When a question be rejected, the questioner will be advised in writing and given reasons for the rejection.

Order of questions

- 9.7 Questions will be asked in the order that they were received. If the Speaker decides that some questions are similar to others, they can group these together.

Asking the question at the meeting

- 9.8 The Speaker will invite the questioner to put the question to the elected member named in the agenda. If the person who has submitted the question is unable to be present at the meeting, the Speaker may:
- Ask the question on the questioner's behalf and invite the relevant elected member to respond;
 - Indicate that a written reply will be given; or
 - Decide that the question will not be dealt with.

Responses

- 9.9 An answer may take the form of:
- A direct verbal answer;
 - Where the reply cannot be given verbally, a promise that a response will be sent later to the question; or
 - Where the desired information is in a publication of the Council or other published work, a reference to that publication.
- 9.10 The Elected Mayor, Deputy Mayor, Councillor of the Cabinet or Mayoral Advisor may nominate a Councillor of the Cabinet or Mayoral Advisor to answer the question or any supplemental question if appropriate and the Chair of a Committee may likewise nominate another Councillor of the Council to reply.

Supplementary questions

- 9.11 The person asking a question may ask one supplementary question without notice to the Councillor to whom the first question was asked. A further supplementary question may be asked by any other Councillor, if the Speaker

agrees. Each supplementary, or additional, question must arise directly from the original question and must not be a speech or statement.

Timing

9.12 At each Full Council meeting a total of 30 minutes will be set aside for public questions. Any questions not addressed within this time will be dealt with by way of a written reply within 10 working days of the meeting.

9.13 Timing of questions:

- The initial reply will last up to five minutes;
- A supplementary question will last up to one minute; and
- Any reply to a supplementary question will last up to two minutes.

Reference of question to the Elected Mayor or Cabinet or a Committee

9.14 No discussion will take place on any question, unless the Speaker decides otherwise. However, any elected member may ask that a matter raised by a question be referred to Cabinet, the appropriate Committee or Sub-Committee. Once seconded, the motion will be voted on without discussion.

Rule 10 - Questions by Councillors

General

10.1 A member of the Council may ask any question in relation to their role as the Council's representatives on any outside body. They may also ask a question on any matter in relation to which the Council has powers or duties, or which affects Hackney of:

- i) The Speaker
- ii) The Elected Mayor
- iii) A member of the Cabinet
- iv) A Mayoral Advisor
- v) The Chair of any Committee or Sub-Committee

Notice of questions

- 10.2 A question may only be asked if the Monitoring Officer has received notice in writing or by email no later than 12 noon, eight clear working days in advance of the Full Council meeting.
- 10.3 The notice must state which elected member the question is to be addressed.

Number and length of questions

- 10.4 A Councillor may ask a maximum of two questions per meeting and each question shall be limited in length to fifty words.

Scope of questions

- 10.5 The Monitoring Officer may reject a question if it:
- i) Is not about a matter for which the local authority has a responsibility, or which affects the Borough;
 - ii) Is defamatory, frivolous, offensive or vexatious;
 - iii) Is substantially the same as a question, motion, petition or deputation which has been put at a Council meeting in the past six months;
 - iv) Requires the disclosure of confidential or exempt information or relates to a safeguarding matter;
 - v) Relates to an individual planning or licensing application; or
 - vi) Relates to something which is the subject of any actual or contemplated legal proceedings in which the Council is involved either as a claimant, defendant or interested party. This also includes any matters which are the subject of mediation.
- 10.6 The Monitoring Officer will include all valid questions on the Full Council agenda. Should a question be rejected, the elected member will be advised in writing, including the reasons for the rejection.

Order of Questions

- 10.7 Questions will be placed on the Full Council agenda in the order that they are received by the Monitoring Officer. However, questions from the majority group and opposition groups will be alternated.

Asking the question at the meeting

- 10.8 The Speaker will ask the Councillor to put the question to the elected member named in the agenda. If the Councillor who submitted a question is not present when the question is called, the question may, with the consent of the Speaker, be asked by any other Councillor.

Responses

- 10.9 An answer may take the form of:
- Where the reply cannot be given verbally, a promise that a response will be sent later to the question; or
 - A direct verbal answer;
 - Where the desired information is in a publication of the Council or other published work, a reference to that publication.
- 10.10 The Elected Mayor, Deputy Mayor, Councillor of the Cabinet or Mayoral Advisor may nominate a Councillor of the Cabinet or Mayoral Advisor to answer the question or any supplemental question. The Chair of a Committee may nominate another Councillor of the Council to reply.

Supplementary Questions

- 10.11 A Councillor asking a question may ask one supplementary question without notice to the Councillor to whom the first question was asked. A further supplementary question may be asked by any other Councillor, if the Speaker agrees. Each supplementary question must arise directly from the original question and must not be a speech or statement.

Timing

- 10.12 At each Full Council meeting a total of 30 minutes will be set aside for public questions. Any questions not addressed within this time will be dealt with by way of a written reply within 10 working days of the meeting.
- 10.13 Timing of questions:
- The initial reply will last up to five minutes;
 - A supplementary question will last up to one minute; and
 - Any reply to a supplementary question will last up to two minutes.

Rule 11 - Deputations

11.1 Full Council may only receive a deputation if the Monitoring Officer has received a Notice of Deputation no later than 12-noon eight clear working days prior to the Full Council meeting.

11.2 No more than two deputations will be taken at each meeting of Full Council.

Notice of Deputation

11.3 The Notice of Deputation must be signed by no less than ten registered local government electors of the Borough. The Notice of Deputation must also state the subject of the deputation and the name of the Councillor who will introduce it.

11.4 The Councillor who is to introduce the deputation must sign the Notice of Deputation form to indicate their agreement to do so.

Scope of Deputation

11.5 The Monitoring Officer may reject a deputation if it:

- i) Is not about a matter for which the local authority has a responsibility, or which affects the Borough;
- ii) Is defamatory, frivolous, offensive or vexatious;
- iii) Is substantially the same as a question, motion, petition or deputation which has been put at a Council meeting in the past six months;
- iv) Requires the disclosure of confidential or exempt information or relates to a safeguarding matter;
- v) Relates to an individual planning or licensing application;
- vi) Relates to something which is the subject of any actual or contemplated legal proceedings in which the Council is involved either as a claimant, defendant or interested party; for the avoidance of doubt this also includes any matters which are the subject of mediation; or
- vi) Is submitted by or on behalf of a political party, or it is submitted on paper bearing the name, insignia or other identifier of a political party.

11.6 Upon receipt of a Notice of Deputation, the Monitoring Officer will decide whether it will appear on the agenda papers. In making that decision, the Monitoring Officer must have regard to:

- i) whether the subject matter of the deputation is an executive function, in which case the deputation should be referred to Cabinet; and
- ii) the other business to be considered at the meeting and the efficient conduct of the meeting.

A deputation will normally be accepted where there is an item on the agenda which relates to the same subject matter. Where there is no such item, the Monitoring Officer will consult with the relevant lead Cabinet Councillor and / or the Elected Mayor as to whether it should be heard at Full Council.

11.7 The deputation leader must be notified in writing as promptly if the deputation is not to be taken at the meeting.

Taking the Deputation at the Meeting

11.8 A maximum of 15 minutes will be allocated to each deputation.

11.10 Any Councillor shall be at liberty when the item is called by the Speaker, to move a motion without notice that the deputation:

- i) Should not be tabled at Full Council
- ii) That it be referred to either:
 - a) The Elected Mayor
 - b) Cabinet
 - c) Another Councillor of the Cabinet
 - d) A Mayoral Advisor
 - e) Committee of the Council
 - f) The Scrutiny Panel

This motion is to be seconded. Once seconded, the motion must be put to a vote with no debate of the motion.

11.11 The Deputation Leader will be given five minutes to introduce the deputation, following which elected Members may ask questions for a period of five minutes.

11.12 The Elected Mayor, relevant Councillor of the Cabinet or Mayoral Advisor shall be given the opportunity to respond to Full Council on the issues raised and advise Full Council what actions will be taken as a result of the deputation for a maximum of five minutes. Should no response be given at the meeting to which the deputation is put, a response should be given at the next ordinary meeting of Full Council.

11.13 A copy of the response will be sent to the Deputation Leader.

Rule 12 - Petitions

12.1 Full Council will consider petitions in accordance with the terms of the adopted Petitions Scheme set out in Part X of this Constitution.

Rule 13 - Opposition Sponsored Business

13.1 Opposition sponsored business may take place at any meeting of Full Council other than the budget setting meeting and the Annual Meeting

13.2 Any Opposition Group may notify the Monitoring Officer by 12 noon, eight clear working days in advance of the meeting of an item of business which that Group wishes to be included in the agenda for the meeting.

13.3 The Monitoring Officer will include the item on the agenda for the meeting but may reject an item if it:

- i) Is not about a matter for which the local authority has a responsibility, or which affects the Borough;
- ii) Is defamatory, frivolous, offensive or vexatious;
- iii) Is substantially the same as a question, motion, petition or deputation which has been put at a meeting of Full Council in the past six months;
- iv) Requires the disclosure of confidential or exempt information or relates to a safeguarding matter;
- v) Relates to an individual planning or licensing application; or
- vi) Relates to something which is the subject of any actual or contemplated legal proceedings in which the Council is involved either as a claimant, defendant or interested party; for the avoidance of doubt this also includes any matters which are the subject of mediation.

- 13.4 An item of opposition sponsored business is not a motion. If the Monitoring Officer considers that the notification from the Opposition Group is more appropriately treated as a motion, they will include it in the agenda as a motion.
- 13.5 A representative of the Opposition Group sponsoring the item will open the debate. No seconder is required.
- 13.6 The Speaker shall then invite Councillors to debate the item for a maximum of 10 minutes. Once the debate has been concluded, or the time period has expired, the Speaker shall formally move on to the next business.

Rule 14 - Motions

- 14.1 A Motion is about a matter for which the Council has a responsibility or which affects the Borough and is the subject of debate at a meeting of Full Council. A Motion can be to adopt a certain course of action, to do an act or to declare a particular attitude.

Notice of Motions

- 14.2 Other than those motions listed in Rule 15, a written notice of every Motion must be signed by at least two Councillors. It must be delivered to the Monitoring Officer not later than 12 noon, eight clear working days prior to the Full Council meeting (unless the following Monday is a bank holiday, in which case seven clear days).

Scope of Motions

- 14.3 The Monitoring Officer may reject a Motion if it:
- i) Is not about a matter for which the Council has a responsibility, or which affects the Borough;
 - ii) Is defamatory, frivolous, offensive or vexatious;
 - iii) Is substantially the same as a question, motion, petition or deputation which has been put at a meeting of Full Council in the past six months;
 - iv) Requires the disclosure of confidential or exempt information or relates to a safeguarding matter;
 - v) Relates to an individual planning or licensing application.
 - vi) Relates to something which is the subject of any actual or contemplated legal proceedings in which the Council is involved either as a claimant,

defendant or interested party; for the avoidance of doubt this also includes any matters which are the subject of mediation.

vii) Is not expressed in positive terms requiring the Council to adopt a certain course of action or to do some act or to declare a particular attitude.

14.4 The Monitoring Officer will include all valid motions on the Full Council agenda. Should a question be motions, the elected members will be advised in writing, including the reasons for the rejection.

14.5 The Motion will be listed on the agenda in the order in which the notice was received unless the elected members giving notice state in writing that they wish the motion to be considered at a later meeting.

Withdrawal of Motion

14.6 An elected member proposing a motion may withdraw it with the consent of both the meeting and the seconder. The meeting's consent or otherwise will be signified without discussion. No elected member may speak on the Motion after permission to withdraw has been sought unless permission is refused.

Rule 15 - Motions without notice

15.1 The following Motions may be moved and seconded without notice:

- To appoint a chair of the meeting;
- In relation to the accuracy of the minutes;
- To change the order of business in the agenda;
- To refer a matter to an appropriate body or individual;
- To appoint a committee or a Councillor to a position arising from an item on the summons for the meeting;
- To receive reports or adoption of recommendations of committees or officers and any resolutions following from them;
- To withdraw or amend a Motion;
- To proceed to the next business;
- That the question be now put;
- To adjourn a debate;

- To adjourn a meeting;
- To suspend a particular Council procedure rule;
- To continue the meeting beyond 10pm;
- To exclude the public and press in accordance with the Access to Information Rules;
- To not hear further a Councillor who has been named under Rule 26.3 (Councillor's Conduct) or to exclude them from the meeting under Rule 26.4.

Rule 16 - Procedure regarding motions

- 16.1 Any Councillor may move that a Motion be referred for consideration to the Cabinet, the Elected Mayor, another Councillor of the Cabinet, a Mayoral Advisor, a Committee of the Council, the Scrutiny Panel or the Scrutiny Commissions, as appropriate. The Motion, if seconded, shall be put and determined without discussion.
- 16.2 A Motion on any matter of which the Cabinet has decision-making powers shall only be referred to the Cabinet for consideration.
- 16.3 When a formal Motion is to be debated and the Councillor who gave notice of the motion is not present at the meeting, the Speaker may exercise discretion and call upon another Councillor of the Council to move the Motion.
- 16.4 The total time for consideration of Motions shall not exceed 30 minutes. Any formal Motion not debated shall stand referred, without discussion, to the next ordinary meeting of Full Council for discussion.

Moving and Seconding a Motion

- 16.5 A Motion is a formal proposal put to Full Council or a Committee. The Motion must be moved and seconded before it can be debated by the Councillors who gave notice, or, with the consent of Full Council by any other elected member.

Seconder of Motion - Right to speak

- 16.6 No Motion for main debate or motion for amendment shall be discussed unless it has been seconded. Any elected member who seconds a Motion or amendment may choose whether they wish to speak immediately after the proposer or reserve their speech until a later period in the debate.

Rule 17 - Rules of debate for motions

Right to require Motion in writing

- 17.1 The Speaker may require a notice of Motion to be written down and handed to them before it is discussed.

Content, conduct and length of speeches

- 17.2 Speeches must be directed to the question under discussion, or a personal explanation or point of order;
- 17.3 Councillors and officers at any meeting shall be addressed or referred to by their respective titles;
- 17.4 The Speaker will decide on the length of speeches;
- 17.5 Unless otherwise stated in these Rules, no speech may exceed 5 minutes or 10 minutes in the case of the Elected Mayor without the consent of Full Council.

When a Councillor may speak again

- 17.6 A Councillor who has spoken on a Motion may not speak again whilst it is in the subject of debate, except:
- To speak once on an amendment moved by another Councillor;
 - To move a further amendment if the Motion has been amended since they last spoke;
 - If their first speech was on an amendment moved by another Councillor, to speak on the main issue (whether or not the amendment on which they spoke was carried);
 - In exercise of a right of reply;
 - On a point of order, naming the procedure rule on which they rely;
 - By way of personal explanation.

Amendments to motions

- 17.7 An amendment to a Motion moved by a Councillor and seconded by another Councillor shall be in writing and relevant to the Motion and shall either be:
- To refer the matter to an appropriate body or individual for consideration or reconsideration;
 - To leave out, insert or add words;

as long as the effect is not to negate the Motion.

- 17.8 Councillors who wish to propose an amendment to the Motion as printed on the agenda for full Council should provide a copy of the proposed amendment to the Monitoring Officer by noon the day before the Council meeting. This is to ensure that the proposed amendment can be circulated to all Councillors in readiness for the meeting itself.
- 17.9 Where proposed amendments are not received by the deadline, the Monitoring Officer, in consultation with The Speaker, may exercise their discretion to accept the proposed amendment if there are exceptional circumstances.
- 17.10 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.
- 17.11 If an amendment is not carried, other amendments to the original motion may be moved.
- 17.12 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.
- 17.13 After an amendment has been carried the new substantive Motion shall be read out before accepting any further amendments. If there are none, put it to the vote.

Altering a Motion with notice

- 17.14 Where a Councillor has given notice, they may alter their Motion with the consent of the meeting. The meetings consent or otherwise will be signified without discussion. If the alteration is simply to accept an amendment proposed by another Councillor the consent of the meeting is not required.

Altering a Motion moved without notice

- 17.15 A Councillor may alter a Motion which they moved without notice, only with the consent of both the meeting and the seconder. The meeting's consent or otherwise will be signified without discussion. Only alterations which could be made as an amendment may be made.

Right of reply

- 17.16 The proposer of a Motion has the right to reply at the end of the debate before it is put to the vote where any elected member has spoken in opposition to the Motion.

- 17.17 The proposer shall not introduce new matters when exercising a right of reply.

Motions which may be moved during debate

- 17.18 When a Motion is under debate, no other Motion may be moved except the following procedural motions:

- To withdraw or amend a Motion;
- To close the Motion (this must be seconded and vote has to take place);
- To proceed to the next business;
- That the question be now put;
- To adjourn the debate;
- To adjourn the meeting;
- To extend the time of the meeting;
- To implement the guillotine procedure;
- To exclude the public and press in accordance with the Access to Information Procedure Rules; or
- To not hear further a Councillor named under Rule 25.3 or to exclude them from the meeting under Rule 25.4. Rule 25.3 applies where the Councillor disregards the ruling of the speaker, behaves improperly, offensively or deliberately obstructs business. Rule 25.4 applies where a Councillor continues to behave inappropriately.

Closure Motions

17.19 A Councillor may move, without comment, the following Motions at the end of a speech of another Councillor:

- To proceed to the next business;
- That the question be now put;
- To adjourn the debate;
- To adjourn the meeting.

Point of Order

17.20 An elected member may raise a point of order at any time. The Speaker will hear it immediately. A point of order may only relate to an alleged breach of these Council Procedure Rules or the law. The elected member must indicate the Rule or law and the way in which they consider it has been broken. The ruling of the Speaker on the matter will be final.

Personal Explanation

17.21 An elected 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 elected member which may appear to have been

misunderstood in the present debate. The ruling of the Speaker on the admissibility of a personal explanation will be final.

Rule 18 - Debating reports

- 18.1 When the report is a Cabinet Member's report, the Cabinet Member shall introduce the report and propose any recommendations.
- 18.2 When the report is an Officer's report, the Officer shall introduce the report and the recommendations will be taken as being proposed to the meeting. In the case of Annual Reports, these may be introduced by the relevant Lead Cabinet Member or Committee Chair even if the report is an Officer's report.
- 18.3 When the report is from a Council Committee, the Chair of that Committee will introduce the report and propose any recommendations.
- 18.4 There is no requirement that the recommendations in the report be seconded by another elected member.
- 18.5 The Speaker shall invite elected members to ask questions of the Cabinet Member, Officer or Committee Chair as appropriate.
- 18.6 The Speaker shall then ask whether elected members wish to debate the report and if this is signified then Full Council will debate the report. The Speaker has the absolute discretion to determine the length of the debate and speeches.
- 18.7 Once the debate has concluded, the Speaker will put the recommendation(s) to the vote.

Rule 19 - State of Hackney debate

Calling of debate

- 19.1 The Elected Mayor may call a State of Hackney Debate on a date and in a form to be agreed with the Speaker.

Form of debate

- 19.2 The Elected Mayor will decide the form of the debate with the aim of enabling the widest possible public involvement and publicity. This may include holding workshops and other events prior to or during the State of Hackney Debate.

Council Procedure Rules may be suspended by the Speaker on the advice of the Monitoring Officer to ensure maximum flexibility.

Chairing of debate

19.3 The debate will be chaired by the Speaker.

Results of debate

19.4 The results of the debate will be:

- disseminated as widely as possible within the community and to agencies and organisations in the area; and
- considered by the Elected Mayor in proposing the budget and policy framework to Full Council for the coming year.

Rule 20 - Previous decisions and motions

Motion to rescind a previous decision

20.1 A Motion to rescind a decision made at a meeting of Full Council within the past six months cannot be moved unless a notice of motion is signed by at least one third of the elected Members.

Motion similar to one previously rejected

20.2 A motion which has the same effect as one rejected in the past six months by Full Council cannot be moved unless a notice of motion or amendment is signed by at least one third of the Councillors of the Council. Once Full Council has determined such a motion, no one may propose a similar motion or amendment within a further period of six months.

20.3 The above Rules shall not apply to Motions moved following a recommendation to Full Council made by Cabinet or a Committee.

Rule 21 - Voting

Majority

21.1 Unless this Constitution provides otherwise, any matter will be decided by a simple majority. Elected Members may not have their vote counted or recorded unless, when the vote is started, they are in a seat in the Council Chamber.

Show of hands

- 21.2 Unless a recorded vote is demanded under Rule 21.3, or the Constitution provides otherwise, the Speaker will take the vote by a show of hands, and if there is no dissent, by the affirmation of the meeting.

Recorded vote

- 21.3 If ten elected Members present at the meeting demand it, a recorded vote will be taken where each Member shall be called upon to confirm whether they vote for or against the motion or amendment or abstain from voting.
- 21.4 Where a recorded vote is taken, the names of those members for or against the motion and those members abstaining from voting will be recorded in the minutes.

Recorded vote on the Council's budget and council tax

- 21.5 In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a recorded vote will be taken at Full Council and Cabinet on any vote in respect of the Council's budget and council tax (including any amendments).
- 21.6 The names of members who voted for or against for or against the motion or any amendment and those members abstaining from voting will be recorded in the minutes.

Right to require individual vote to be recorded

- 21.7 Where any elected Member makes a request immediately after a vote is taken, their vote will be recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

Speaker's casting vote

- 21.8 If there are equal numbers of votes for and against, the Speaker will have a second or casting vote providing that they have already voted on the motion. There will be no restriction on how the Speaker chooses to exercise a casting vote.

Voting on appointments or nominations to committees

- 21.9 Where a vote is required on an election or appointment and two or more persons are nominated, the Speaker shall call for a vote on the nominations in turn. An elected Member may not vote for more than one person.
- 21.10 The procedure to be followed is

- members will be invited to vote for one of the nominees
- if one nominee secures an absolute majority of those present and voting, they will be declared elected / appointed
- if no nominee secures an absolute majority of those present and voting, the nominee with the least number of votes shall be eliminated from the contest;
- the above steps shall be repeated until one nominee secures an absolute majority of those present and voting.

Rule 22 - Minutes

Signing the minutes

- 22.1 The Speaker, or in their absence the Deputy Speaker or other person presiding over the meeting, will sign the minutes of the proceedings at the next suitable Council meeting.
- 22.2 The Speaker will move that the minutes of the previous meeting be signed as a correct record. Only the accuracy of the minutes can be discussed

No requirement to sign minutes of previous meeting at an Extraordinary meeting

- 22.3 There will be no item for the approval of minutes of an ordinary Full Council meeting on the agenda of an extraordinary meeting.

Rule 23 - Record of attendance

- 23.1 Elected members must sign their names on the attendance sheets before the conclusion of every meeting in order to provide a record of their attendance.
- 23.2 Elected members will not be counted as being present at a meeting if they attend the meeting for less than 30 minutes. Where a meeting is of less than 30 minutes' duration, the period shall be 15 minutes.

Rule 24 - Exclusion of public

- 24.1 The public and press may only be excluded from a meeting either because an item of exempt or confidential business is to be discussed (see the Access to Information Procedure Rules set out in Part X of this Constitution) or because of a public disturbance to the meeting (Rule 27).

- 24.2 A Motion may be moved at any time for the exclusion of the public from the whole or any part of the proceedings of Full Council to discuss exempt or confidential business. The Motion shall specify, by reference to Section 100(A) of the Local Government Act 1972, the reason why the public is to be excluded.

Rule 25 - Elected members' conduct

Standing to speak

- 25.1 When an elected member speaks at Full Council they must stand, if they are able, and address the meeting through the Speaker. If more than one Councillor stands, the Speaker will ask one to speak and the others must sit. Councillors must remain seated whilst a Councillor is speaking unless they wish to make a point of order or a point of personal explanation.

Speaker standing

- 25.2 When the Speaker stands during a debate, any Councillor speaking at the time must stop and sit down. The meeting must be silent.

Member not to be heard further

- 25.3 If an elected member persistently disregards the ruling of the Speaker by behaving improperly or offensively or deliberately obstructs business, any elected member may move that they are not heard further. If seconded, the motion will be voted on without discussion.

Member asked to leave the meeting

- 25.4 If the elected member continues to behave inappropriately after such a motion is carried, any elected member may move that either they leave the meeting or that the meeting is adjourned for a specific period. If seconded, the motion will be voted on without discussion.

Rule 26 - General disturbance and / or disturbance by the public

Removal of member of the public

- 26.1 If a member of the public interrupts or otherwise disrupts a meeting, the Speaker will warn that person that if they continue to interrupt they will be removed. If, despite the warning, the person continues to interrupt or disrupt the meeting, the Speaker will order their removal from the meeting.

General disturbance

- 26.2 If there is a disturbance by the public which makes the conduct of the meeting impossible, the Speaker may:
- (a) adjourn the meeting for as long as they think necessary to resolve the disturbance, save that the meeting may not resume any later than 9:50pm;
 - (b) call for any part of the meeting room to be cleared of those causing the disturbance;
 - (c) decide to move the meeting to another room in the Council's buildings;
or
 - (d) adjourn the meeting to another date.

Recording a meeting

- 26.3 Any photography or recording of sound and / or videos made during the meeting must comply with the provisions in the Protocol on Livestream / Recording Meetings set out in Part X of this Constitution.

Rule 27 - Suspension and amendment of Council Procedure Rules

Suspension

- 27.1 The following Council Procedure Rules may be suspended for the duration of the meeting either:
- (a) by motion on notice in accordance with Rule 14, or
 - (b) by motion without notice provided that at least one half of the whole number of members of Full Council are present and a majority of those present support the motion
 - Duration of meeting (Rule 7)
 - Questions by the public (Rule 9);
 - Questions by Councillors – except there shall be no suspension of the time limit for Councillors' questions (Rule 10);
 - Deputations (Rule 11);
 - Petitions (Rule 12);

- Total time for consideration of motions (Rule 16.4);
- Debating reports (Rule 18);
- Previous decisions and motions (Rule 20);
- Councillors' conduct (Rule 25)

Amendment

27.2 Other than as detailed above, any motion to add to, vary or revoke these Council Procedure Rules shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of Full Council where it will be considered alongside a report from the Monitoring Officer.

Rule 28 - Interpretation of Council Procedure Rules

- 28.1 At any meeting of the Council, the Speaker is responsible for rulings as to the construction, interpretation or application of the Council Procedure Rules having taken advice from the Monitoring Officer or legal adviser. A member may request an explanation from the Speaker as to their ruling, but once an explanation has been provided the ruling will be final.
- 28.2 Any representations should be made to the Monitoring Officer following the meeting.

Rule 29 - Mobile phones and other electronic communication devices

- 29.1 No one is permitted to make or receive any telephone calls during a meeting.
- 29.2 Electronic communication devices, such as mobile phones, laptops, tablets etc, may be used during a meeting to access agendas or tweet or use other social networking sites, but audible notifications must be turned off.
- 29.3 Any photography or recording of sound and / or videos made during the meeting must comply with the provisions on recording meetings set out in Part X of this Constitution.

Rule 30 - Application to committees and sub-committees

30. The following Council Procedure Rules shall apply to all non-executive meetings of Council Committees, and Sub-Committees:

- Business (Rule 3);
- Time and Place of Meetings (Rule 4);
- Notice of meeting (Rule 5);
- Chair of meeting (Rule 6);
- Quorum - but see different rule for Sub-Committees (Rule 7);
- Duration of Meeting - but not to meetings of any quasi-judicial Committee or Sub-Committee or one at which appointment of staff is being considered (Rule 8);
- Motions and amendments without notice - but not establishment of Committee or appointment of Councillors except where the terms of reference permit (Rule 15);
- Speeches (Rule 17.4);
- Points of Order (Rule 17.12);
- Points of personal explanation (Rule 17.13);
- Voting (Rule 21);
- Minutes (Rule 22);
- Conduct (Rule 25);
- Disturbance by the Public (Rule 26);
- Electronic communication devices (Rule 29).

30.1 References to the Speaker shall be construed as references to the Chair of Committee or Sub-Committee as appropriate.

31.2 References to motion shall be construed as references to the matter under consideration.

31.3 References to Full Council shall be construed as references to the Committee or Sub-Committee as appropriate.

Order of Business

31.4 At each meeting the Committee / Sub-Committee shall:

- appoint a person to preside as chair if the Chair and Vice-Chair are not present;

- approve the minutes of the last meeting;
- receive any declarations of interest from Councillors;
- receive deputations and questions from the public referred by the Monitoring Officer, subject to any particular rules or procedures applicable to the Committee/Sub-Committee;
- transact business on the agenda which shall be determined by the terms of reference for each Committee or Sub-Committee.

Attendance

- 31.5 Any Councillor of the Council can attend meetings of Committees and Sub-Committees as an observer. Any such Councillor:
- may not vote;
 - may speak with the permission of the Chair; and
 - must leave the meeting at any time when the press and public are excluded, unless invited to remain by the Chair.
- 31.6 Where a motion has been referred to a Committee or Sub-Committee by Full Council, then the member who proposed that motion must be given notice of the meeting and may attend the meeting and explain the motion.

Sub-Committees

- 31.7 Committees may establish Sub-Committees to discharge any of the functions within the Committee's terms of reference. Any functions discharged to the Sub Committee will still remain within the functions of the Parent Committee.
- 31.8 The quorum of a Sub-Committee shall be one-quarter of the whole number of members of that Sub-Committee, subject to a minimum quorum of two Members per meeting. Any Councillor who is attending in a substitute capacity will count for the purposes of the quorum.

Working Parties

- 31.9 Committees and Sub-Committees may from time to time set up working parties. Working parties are not decision-making bodies and may comprise a combination of Members, Officers, external advisers etc. Meetings of working parties are not governed by these rules of procedure. The business and conduct of the meetings shall be prescribed by the appointing body as part of the terms of reference for the working party.

31.10 Rights of access to working party meetings and to information of such meetings shall be in accordance with any general rights of access to information under legislation or the common law.

Rule 32 - Convening meetings of committees and sub-committees

32.1 The Monitoring Officer will call all meetings of Committees and Sub-Committees and shall determine the venue and time of the meeting.

32.2 The Chair of any Committee or Sub-Committee may ask the Monitoring Officer to call a special meeting of the Committee or Sub-Committee at any time.

32.3 If at least one-quarter of the Members of a Committee or Sub-Committee inform the Monitoring Officer in writing that they wish to call a special meeting, the Monitoring Officer must call that meeting at the earliest opportunity consistent with the requirements of the Access to Information Procedure Rules set out in Part X of this Constitution.