

Council Rules

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1. What is Council

- 1.1. The Council (a meeting of all 54 Members of the Council) is responsible for setting the Budget & Policy Framework for the Council. All Council functions are delivered within this framework.

2. Council Meetings

What type of meeting	When
The Annual General Meeting	Either after Council elections, within 21 days of the retirement of the outgoing councillors Or between March to May in non election years
Ordinary Meetings	See the schedule of meetings
Extraordinary Meetings	Can be called by: <ul style="list-style-type: none"> • the Council by resolution • the Speaker • the Monitoring Officer any 5 Members of the Council who have signed a requisition requesting a meeting when the Speaker has refused or failed to call a meeting within 5 working days of him/her receiving such a requisition can request the Proper Officer to call a meeting

3. Business to be transacted at Council meetings:-

Business to be transacted	Type of Meeting		
	Annual Meeting	Ordinary Meeting	Extraordinary Meeting
Elect a person to preside if the Speaker or Deputy Speaker are not present	✓ *	✓ *	✓ *
Receive any apologies for absence	✓ *	✓ *	✓ *
Business required by statute to be done before other business		✓ *	
Receive any declarations of interest from Members	✓ *	✓ *	✓ *

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Elect the Mayor, Deputy Mayor, Speaker, Deputy Speaker, Leader ¹ and appoint the Deputy Leader	✓		
Approve the minutes of the previous meeting(s) ²	✓ *	✓ *	
Receive any announcements from the Mayor, the Leader or the Head of Paid Service	✓	✓	
Agree the size of the Cabinet and note the Leader's appointments to the Cabinet	✓		
Agree the Council's delegation scheme	✓		
Appoint such committees, etc. as the Council consider are required to enable it to efficiently conduct its business and, in respect of those committees agree the size and terms of reference and appoint the Chairman, Vice-Chairman, Members and substitutes (where applicable)	✓	✓ **	
Business to be transacted	Type of Meeting		
	Annual Meeting	Ordinary Meeting	Extraordinary Meeting
Receive the schedule of meetings	✓		
Receive the Leader's annual statement of policy priorities and the responses from the Leaders of the 2 largest opposition groups	✓		
Consider the business set out in the agenda	✓	✓	✓
To answer questions received from members of the public in the order in which they were received	✓	✓	
Receive reports from Committees, etc. and receive questions and answers on those reports and to determine recommendations made in those reports ³		✓	
To answer questions received from Members in the order in which they were received		✓	
To consider motions in the order in which they were received		✓	

* Compulsory business, the order of which cannot be varied.

** Where there is a vacancy

4. Notice of Meetings/ Attendance at meetings

4.1. The Proper Officer will give 5 clear working days notice of all Council meetings by way of summons which will include details of the date, time and place of the meeting as well as

¹ If the Leader's 4 year term has expired or a vacancy has otherwise arisen

² The only part of the minutes that can be discussed is their accuracy. Once approved the Mayor will sign them as a correct record.

³ Minutes are moved by the Leader (or Cabinet Member) and the Chairman (for committees).

Resolved decisions cannot be discussed or changed by Council.

Recommendations from Cabinet or any committee will be considered individually in the order that they appear on the Council agenda and debated in accordance with these rules.

Once all the recommendations emanating from cabinet or a committee have been considered then the minutes are received

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detailing the business to be transacted and copies of available reports. Summonses may be delivered by post or by hand.

- 4.2. The Speaker may, if he/ she considers it appropriate and after consulting with the Leader alter the date or time of any Council meeting.
- 4.3. The names of all Members attending meetings will be recorded.
- 4.4. Substitutes can be appointed as detailed below and have the same powers and duties as an ordinary member of the committee but cannot chair a meeting at which they are attending as a substitute. They must substitute for a whole meeting for a member who cannot attend the meeting and the Proper Officer must be notified by either the member being substituted or the proposed substitute at least one hour before the start of the meeting .

Type of meeting	Members	Substitutes	Quorum
Council	54	n/a	14
Cabinet	9 (maximum)	n/a	4
Health & Well-Being Board	6	n/a	3
Standards Committee	7	n/a	3
Audit Committee	7	n/a	3
Council Constitution Committee	7	n/a	3
Scrutiny Management Board	7		3
Scrutiny Committees	8	n/a ⁴	3
Planning Committee	9	9	3
Licensing Committee	10	10	3
Appeals Committee	7	8	3
Personnel Committee	7	n/a	3
Employee JICF	7	7	3

5. The role of the Speaker

- 5.1. The person elected at Annual Council to chair meetings of the Council is referred to as the Speaker. A Deputy Speaker is also appointed at Annual Council
- 5.2. The Speaker will:-
 - 5.2.1. Uphold the Constitution and interpret it during Council meetings;
 - 5.2.2. To ensure that the business of the Council is carried out efficiently and with regard to the rights of all Members and the community as a whole including the variation of the order of business (except those items marked with an asterisk in 4 above)
 - 5.2.3. Ensure that the Council meeting is a forum for debate of matters of concern to the local community and the place for members who are not on the Cabinet to hold the Cabinet to account
 - 5.2.4. The Deputy Speaker, or in his absence any Member elected to preside if the Speaker is not present may exercise any of these powers or duties.

6. The role of the Mayor

- 6.1. Elected at Annual Council the Mayor will:-
 - 6.1.1. Preside over the meetings of Council, including commencing the meeting and handing over to the Speaker to manage the Agenda, to sign the minutes and, if necessary to exercise the casting vote;

⁴ except for call-in meetings

- 6.1.2. Attend such civic and ceremonial functions that the Council and he/ she determines are appropriate;
- 6.1.3. Promote public involvement in the Council's activities.
- 6.2. The Deputy Mayor, also appointed at Annual Council, may exercise any of these powers or duties in the absence of the Mayor.

7. Questions

Questions on reports of the Leader, Cabinet or Committee

A Member may ask the Leader of the Council or the Chairman of a Committee any question without notice about any matter arising out of a report when it is being received or under consideration by Council.

Other questions at Ordinary meetings of the Council - Members

- 7.1. All other questions must be submitted to the Proper Officer by 5:00pm at least 2 working days before the meeting unless the Speaker and the person to whom the question is to be put agree that the matter is urgent in which case the question must be provided to the Proper Officer 24 hours before the time of the meeting.
- 7.2. Questions can be asked of any member of the Cabinet and the Chairman of any Committee, etc. about any matter in relation to which the Council has powers or duties or which affects the Borough.
- 7.3. The Speaker may, in consultation with the Managing Director or the Proper Officer rule a question out of order if questions do not meet these requirements or in his/her opinion it would risk the defamation of any individual.

Process for asking questions at Council - Members

- 7.4. A maximum of 30 minutes is allocated for this process and questions are tabled at the meeting, printed in the order in which they are received.
- 7.5. An answer will be provided by the Member to whom the question was put or his/ her nominee and can be either a direct oral answer, a reference to an already existing publication or, if the reply cannot be conveniently be given orally, or the 30 minute time period has expired, a written answer will be circulated to all Members via the Council's intranet or e-mail within five clear working days.
- 7.6. The Member asking the question may respond once without notice to any reply on the subject of the question.
- 7.7. A Member may speak for no more than 3 minutes when asking a question/ supplementary question or providing answers.

Public questions at Ordinary meetings of the Council

- 7.8. All questions must be submitted to the Proper Officer by 5:00pm at least 7 working days before the meeting. An individual or organisation may only ask one question per meeting which cannot be more than 50 words long
- 7.9. Questions can be asked of any member of the Cabinet about any matter in relation to which the Council has powers or duties or which affects the Borough.

7.10. The Speaker may, in consultation with the Managing Director or the Proper Officer, rule a question out of order if questions do not meet these requirements or in his/her opinion it would risk the defamation of any individual, has been asked in the previous 6 months, relates to confidential or exempt information or relates to an individual or personal dealings with the Council.

Process for the public asking questions at Council

7.11. A maximum of 15 minutes is allocated for this process and questions are tabled at the meeting, printed in the order in which they are received. A maximum of 2 minutes is allocated for each question and answer

7.12. An answer will be provided by the Member to whom the question was put or his/ her nominee and can be either a direct oral answer, a reference to an already existing publication or, if the reply cannot be conveniently given orally, or the 15 minute time period has expired, a written answer will be sent to the person asking the question and to all Members.⁵

8. Motions

8.1. There are 2 types of Motion, those that can be moved during debate and those for which notice is required.

Motions without notice

8.2. The following motions can be moved without notice during the Council meeting:-

8.2.1. to appoint a Chairman

8.2.2. in relation to the accuracy of the Minutes

8.2.3. to change the order of business in the agenda

8.2.4. to refer something to an appropriate body or individual

8.2.5. to appoint a committee or member arising from an item on the agenda for the meeting

8.2.6. to receive reports or adoption of recommendations of Committees or officers and any recommendations following from them

8.2.7. to extend the time limit for speeches

8.2.8. to suspend a particular Council Rule

8.2.9. to adjourn the meeting

8.2.10. to exclude the public and press

8.2.11. to not hear further from a Member or to exclude them from the meeting

8.2.12. to give the consent of the meeting where its consent is required by this Constitution

8.2.13. to ask for a Recorded Vote

8.2.14. to withdraw the motion

8.2.15. to amend the motion

8.2.16. to proceed to the next business⁶

8.2.17. that the question be now put⁷

⁵ See also the [Protocol for Public Questions](#)

⁶ If the Speaker considers that the item has been sufficiently discussed he/ she will put the motion to the vote and if passed give the mover of the Substantive Motion a right of reply

⁷ If the Speaker considers that the item has been sufficiently discussed he/ she will put the motion to the vote and if passed give the mover of the Substantive Motion a right of reply

8.2.18. to adjourn the debate⁸

8.3. The Speaker may ask for a written version of a Motion or a proposed amendment to be provided to him before it is discussed.

8.4. A Member may alter a Motion without notice which he/ she has moved with the consent of the Secunder and the meeting. This shall be given without discussion.

Motions with notice

8.5. Other Motions must be submitted to the Proper Officer by 5:00pm at least 7⁹ clear working days before the meeting.

8.6. Motions received will be published the day after the closing date for receipt and will be included in the Council agenda in the order in which they are received.

8.7. Motions must relate to matters for which the Council has responsibility or which affect the Borough of Telford & Wrekin.

8.8. A Member may alter a Motion with notice which he/she has moved with the consent of the meeting. This shall be given without discussion.

Special Motions with notice - Rescinding a previous decision

8.9. A Motion or amendment to rescind a decision made at Council in the last 6 months can only be considered once in the 6 months immediately following the date of the original decision if the notice of motion is signed by at least 10 members.

8.10. A motion or amendment that is substantially similar to one that has been rejected by Council in the last 6 months can only be considered once in the 6 months immediately following the date of the original decision if the notice of motion is signed by at least 10 members.

9. Rules of Debate

9.1. Other than when asking questions or when these rules have been suspended Members can speak on the motion, any proposed amendment to the motion and on any further amended motion as detailed below:-

	Substantive motion	Propose amendments	Proposed amendment	Right of reply	Length of speech
Proposer	✓ ¹⁰	✗ ¹¹	Right of Reply only	✓	5 minutes
Secunder	✓ ¹²	✗	✓	✗	3 minutes
All other members except the Mayor	✓	✓	✓	✗	3 minutes

⁸ If the Speaker considers that the item has not been sufficiently discussed and cannot reasonably be so he/ she will put the motion to the vote without giving the mover of the Substantive Motion a right of reply

⁹ A notice of motion of no confidence in the cabinet as a whole or individual members (including the Leader) requires 10 clear working days notice

¹⁰ The Proposer must move the motion and explain the purpose of it

¹¹ See rules on altering and withdrawing motions – rules 8.4, 8.8 and 9.7 above

¹² No motion can be debated until it has been seconded however the person seconding the motion may reserve his/ her right to speak until later in the debate

Amendments to Motions or Recommendations

- 9.2. Amendments can be proposed that:-
- 9.3. Refer the matter to an appropriate body or individual for consideration or reconsideration
- 9.4. Any combination of leaving out words and/or adding others as long as this does not negate or substantially alter the Motion.
- 9.5. Only one Motion can be moved and debated at any one time.
- 9.6. No more than one amendment can be proposed to either the substantive Motion or the amended Motion at any one time.

Withdrawal of Motions

- 9.7. A Member may withdraw a Motion which he/she has moved with the consent of the seconder and the meeting. This shall be given without discussion.

10. Speeches

Purpose of speech	Who can make the speech	Duration
Presenting a report	Member presenting a report	5 minutes
The adoption of minutes	Member moving the adoption of minutes	5 minutes
Speeches at: AGM; Budget debate; and State of the Borough debate	Leader Leaders of 2 main opposition groups Leader (right of reply)	20 minutes 10 minutes 10 minutes
Point of Order	Any member	3 minutes
Personal Explanation	Any member	3 minutes

Point of Order

- 10.1. A point of order can be raised at any time and will be heard by the Speaker as soon as it is raised. It must allege a breach of the Council Rules or the law and the Member must indicate the rule or the law and the way in which he/she considers it has been broken. The decision of the Speaker in respect of the matter is final.

Personal Explanation

- 10.2. A Member can make a personal explanation at any time. It can only relate to a material part of an earlier speech which relates to them and appears to have been misunderstood during the debate. The ruling of the Speaker in respect of the personal explanation is final.

Speaking

- 10.3. Except with the leave of the Speaker all Members must stand and address the meeting through the Speaker. When more than one member is standing up the Speaker will invite one of them to speak and the remaining Members must sit down and remain seated.
- 10.4. When a Member is speaking all Members must remain seated unless they wish to make a Point of Order or a Point of Personal Explanation.

10.5. The Speaker may allow officers to give advice to Council as and when appropriate in which case the rules on speaking for Members apply.

11. Voting

- 11.1. Subject to rules 11.2 to 11.4 below any matter is decided by a simple majority of those present and voting in the room. This can be done either by a show of hands or, if there is no dissent, by the affirmation of the meeting
- 11.2. The Mayor has a casting vote if there equal numbers of votes for and against a matter. There is no restriction on how the Mayor may exercise this casting vote.
- 11.3. Seven¹³ Members may, before the vote is taken, ask for a Recorded Vote which would record in the minutes the way in which individual Members voted.
- 11.4. After a vote is taken any Member can ask for the way that they voted to be recorded in the minutes.
- 11.5. If three or more people are nominated for a position and there is no clear majority of votes in favour of one of them then the person with the fewest votes is rejected and a new vote is taken. This process continues until there is a majority of votes for one person.

12. Conduct

Members

- 12.1. When the Speaker stands up or indicates in some other manner the Member speaking must stop speaking and sit down and the meeting must be silent.
- 12.2. Any Member can move that another member be not heard further if that Member is persistently disregarding the ruling of the Speaker or behaving improperly or offensively or deliberately obstructing business. Any such Motion will, if seconded, be voted on without debate.
- 12.3. If, after such a Motion is carried, the Member continues to behave improperly then the Speaker may move that the Member leaves the meeting and/or that the meeting is adjourned for as long and to such a place as he/she considers appropriate. Any such Motion will, if seconded, be voted on without debate.

Public

- 12.4. If a member of the public interrupts proceedings or continually interrupts proceedings then the Speaker may either warn them about their behaviour or order their removal from the meeting room as he/she considers appropriate.

General Provisions

- 12.5. If there is general disturbance which, in the opinion of the Speaker, makes orderly business impossible then the Speaker may adjourn the meeting for as long and to such a place as he/she thinks appropriate or call for all or any part of the meeting room to be cleared.

13. Suspending Council Rules

¹³ 2 members for committees

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- 13.1. These Council Rules, except 10.4 and 11 can be suspended by Motion on notice or without notice if there are at least 50% of the members present. Any suspension under this rule will last only for the duration of that Council Meeting.