

# **Section A**

## **Interim Council Procedure Rules**

### **(Standing Orders)**

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## **A1. Application of the Interim Council Procedure Rules**

**A1.1** These Rules (“the Interim Council Procedure Rules”) temporarily suspend and supersede the Council Procedure Rules that were adopted by the Council in November 2019 (‘the Suspended Council Procedure Rules’).

**A1.2** These Rules come into effect on 17 June 2020 and apply to all meetings that the Suspended Council Procedure Rules would otherwise apply to that are held on or before 6<sup>th</sup> May 2021 (unless these Rules are rescinded or amended by the Council prior to that date).

**A1.3** From 7<sup>th</sup> May 2021 (or such earlier date as the Council may rescind them) these Rules shall cease to apply and the Suspended Council Procedure Rules shall apply again instead.

## **B1. Definitions**

**B1.1** Any reference (howsoever expressed) in these Rules to a member or members being present at or attending a meeting shall include a member who is in remote attendance.

**B1.2** Any reference (howsoever expressed) in these Rules to a member of the public being present at or attending a meeting shall include such a person attending by remote access.

**B1.3** Any requirement (howsoever expressed) in these Rules that a document is to be signed shall be interpreted as including such signing by way of an appropriate (as determined by the Monitoring Officer) electronic signature and any requirement for a document to be signed by more than one individual may be satisfied by an appropriate mechanism (as determined by the Monitoring Officer) for the document to be signed in separate parts (such as via separate counterpart copies).

**B1.4** ‘Meeting’ and the ‘place’ where the meeting is held (or is to be held) are to be construed in accordance with [Regulation 5\(1\)](#) of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (‘the 2020 Regulations’).

**B1.5** ‘Remote attendance’ and ‘remote access’ are to be construed in accordance with [Regulation 3](#) of the 2020 Regulations.

**B1.6** ‘Remote meeting’ means a meeting where some or all members are in remote attendance and/or where some or all members of the public are attending by remote access.

## **1. Interpretation and Chair's Ruling**

- 1.1 These council Rules of Procedure ('the Rules') apply to meetings of the full council and, where appropriate, to meetings of committees and sub-committees. None of these Rules apply to meetings of the Executive (referred to in Salford as the 'Cabinet').
- 1.2 References in these Rules:
- (i) to the Ceremonial Mayor, include the Ceremonial Deputy Mayor or any other Member acting in their absence;
  - (ii) to the City Mayor, include the Deputy City Mayor or any other Member acting in their absence;
  - (iii) to the Chair of any council committee or sub-committee, include the appointed deputy Chair or any other Member acting in their absence.
- 1.3 References in these Rules to the Chair shall include the Ceremonial Mayor and the Ceremonial Deputy Mayor when they are acting in their capacity as the Chair of the council.
- 1.4 These Rules should be read in conjunction with other parts of the council's Constitution.
- 1.4A These Rules may be supplemented by one or more Remote Meetings Protocols adopted under Rule 28.**
- 1.5 \*\*\*These Rules are subject to any statute or enactment whether passed before or after these Rules came into effect.
- 1.6 The ruling of the Chair on the application and interpretation of these Rules is final.

## **2. Suspension and amendment of Rules**

- 2.1 \*\*\*With the exception of the Rules marked by an asterisk (\*\*\*), any Rule may be suspended at council meetings either by a motion included on the agenda or by a motion put to the meeting without notice and passed by a majority of those present and voting. A motion to suspend any Rules will not be moved without notice unless at least one half of the whole number of councillors are present. Suspension can only be for the duration of the meeting.
- 2.2 Rules may be changed by council either at the Annual Meeting or on a proposal of the Monitoring Officer or by a motion on notice made at council.

## **3. Ceremonial Mayor and Ceremonial Deputy Mayor**

- 3.1 \*\*\***Subject to Rule 3.1A** the Ceremonial Mayor will be elected, and the Ceremonial Deputy Mayor will be appointed at the Annual Meeting of Council.

- 3.1A \*\*\*Where, pursuant to the 2020 Regulations, the Annual Meeting is not held, the Ceremonial Mayor and Ceremonial Deputy Mayor shall remain in office until the next Annual meeting of the Council or until such time as the Council may determine.**
- 3.2 \*\*\*If the Office of Ceremonial Mayor becomes vacant during a Municipal Year it will be filled at the next council meeting (or, if a vacancy arises within 14 days before the next council meeting, it will be filled at the next following council meeting).
- 3.3 The Ceremonial Mayor will chair meetings of the council. In the Ceremonial Mayor's absence the Ceremonial Deputy Mayor will chair the meeting. In the absence of both the Ceremonial Mayor and the Ceremonial Deputy Mayor, the Council will appoint another Member to chair the meeting.
- 3.4 The council, by a 75% majority, may pass a vote of no confidence in the Ceremonial Mayor and upon this being carried by the council, the council may appoint from its membership a new Ceremonial Mayor for either the remainder of the meeting or the remainder of the municipal year.
- 3.5 Any power or duty of the Ceremonial Mayor may, in the absence of the Ceremonial Mayor, be exercised by the Member presiding at the meeting.

#### **4. Political Groups and Leaders**

- 4.1 A political group will be treated as constituted when the Monitoring Officer has received a notice in writing signed by two or more members of the council stating:
- a) that the Members who have signed it wish to be treated as a political group
  - b) the name of the political group
  - c) the name of one member of the political group who has signed the notice and who is to act as its leader.
- 4.2 \*\*\*The notice may specify the name of one other member of the political group who has signed the notice and who is authorised to act in the place of the leader of the political group. (This authorised member is referred to as 'the representative').
- 4.3 \*\*\*The leader of the political group may be changed by a further notice in writing to the Monitoring Officer signed by a majority of the members of the political group.
- 4.4 \*\*\*The name of the political group and of the representative (see Rule 4.2) may be changed by a further notice in writing to the Monitoring Officer signed by the leader of the political group or a majority of the members of the political group.

- 4.5 \*\*\*A member of the council is to be treated as a member of a political group if they have:
- a) signed a notice in accordance with Rule 4.1 or
  - b) given the Monitoring Officer a notice in writing, signed by them and by the leader (or representative) of the political group or by a majority of members of the political group, stating that they wish to join the political group.
- 4.6 \*\*\*A person is to be treated as having ceased to be a member of a political group when:
- a) they have ceased to be a Member of the council
  - b) they have notified the Monitoring Officer in writing that they no longer wish to be treated as a member of the political group
  - c) they have joined another political group
  - d) the Monitoring Officer receives a notice in writing signed by a majority of members of the political group stating that they no longer wish them to be treated as a member of it.
- 4.7 \*\*\*No person shall be treated as a member of more than one political group at any given time.
- 4.8 The Monitoring Officer will keep and maintain a record of the current membership of each political group.
- 4.9 The leader of the second largest political group or combination of political groups (as chosen by the members of the political group/s) will be known as the Leader of the Opposition.

## **5. Establishment of Committees and Sub-Committees**

- 5.1 Subject to Rules 5.2 to 5.9 below, the council may establish such Committees as it considers necessary to carry out the work of the Council and may refer to those Committees such matters as are considered appropriate.
- 5.2 The Council shall establish a Standards Committee, the composition of which will be in line with Article 9 of Part 2 of this Constitution.
- 5.3 The Council shall establish a Health and Well-being Board in accordance with section 194 of the Health and Social Care Act 2012, the composition of which will be in line with Article 8.2 of the Constitution.
- 5.4 The Council shall establish a Planning and Transportation Regulatory Panel.

- 5.5 The Council shall establish a Licensing and Safety Regulatory Panel.
- 5.6 The Council shall establish a Licensing Committee with not less than 10 and not more than 15 Members.
- 5.7 The Council shall establish 8 Community Committees as Area Committees in accordance with Article 10 of this Constitution.
- 5.8 The Council shall appoint an Electoral Matters Committee, an Audit and Accounts Committee, a Workforce Panel and an Employer's Forum.
- 5.9 The Council shall establish Overview and Scrutiny Committees (referred to in Salford as 'the Overview and Scrutiny Board and Scrutiny Panels') in accordance with Part 3, Section E of this Constitution.
- 5.10 Committees may establish Sub-Committees, subject to the approval of the Council, to carry out the work of the Committee and may refer to those Sub-Committees such matters as are considered appropriate. Committees may also establish ad hoc Sub-Committees to consider any specific matter referred to them.
- 5.11 \*\*\*Subject to Rules 5.12 and 5.13 where a matter is referred to a Committee or Sub-Committee, the decision of the Committee must be approved by full Council before it becomes effective.
- 5.12 \*\*\*Except in relation to those decisions which by statute must only be taken by the full Council, the Council may delegate powers to Committees or Sub-Committees. Where a matter has been delegated to a Committee, the Committee may further delegate the matter to a Sub-Committee unless the Council otherwise directs.
- 5.13 \*\*\*Where a matter is delegated in accordance with Rule 5.12 above, the decisions of the Committee or Sub-Committee do not require approval by the Council (or Committee) unless the delegation has been previously withdrawn in relation to the particular item.

## **6. Membership of Committees and Sub-Committees and Joint Authorities and Joint Committees.**

- 6.1 In relation to committees the Annual Meeting of council will:
- a) subject to Rule 5 above, determine the number of members to serve on them
  - b) allocate seats on them to the political groups in accordance with the principles of political balance and
  - c) appoint named members to them giving effect to the wishes (where expressed) of each political group.

- 6.1A \*\*\*Where, pursuant to the 2020 Regulations, the Annual Meeting is not held, the membership of committees shall remain unchanged until the next Annual Meeting of the Council or until such time as the Council may determine.**
- 6.2 \*\*\*Appointments to all sub-committees will be made by their parent committees in accordance with:
- a) the principles of political balance (as to the allocation of numbers of seats) and
  - b) the wishes of the political groups (as to individual appointments).
- 6.3 Members serving on sub-committees are not required to be members of the parent committee.
- 6.4 Where the council is entitled to seats on a Joint Authority or on a Joint Committee with another local authority or local authorities, appointments to such seats will be made by the council.
- 6.5 \*\*\*Where the council is entitled to three or more seats on a Joint Authority or Joint Committee ('relevant Joint Authority/Joint Committee'), the council in making appointments will:
- a) allocate seats on them to the political groups in accordance with "the principles of political balance", and
  - b) appoint members to them giving effect to the wishes (where expressed) of the relevant political group.
- 6.6 \*\*\*"The principles of political balance are:
- a) That not all seats on the committee, sub-committee or relevant Joint Authority or Joint Committee ('the body') are allocated to the same political group
  - b) That the majority of seats on the body are allocated to a political group holding the majority of seats on the council
  - c) That, subject to (a) and (b) above, the total number of seats held by each political group on all committees of the council taken as a whole is proportionate to that group's membership of the council
  - d) That, subject to (a) and (c) above, the number of seats held by each political group on individual bodies is proportionate to that group's membership of the council.
- 6.7 \*\*\*Where a political group wishes to change one of its appointed members on a committee or sub-committee, the council or parent committee shall give effect to that political group's wishes.

- 6.8 \*\*\*Where there is a change in the political balance of the council, the allocation of seats on committees and sub-committees will be reviewed and changes made:
- a) to reflect the new political balance and
  - b) the wishes of the political groups.
- 6.9 \*\*\*Any Scrutiny Panel discharging education functions shall also contain, as voting members, two elected representatives of parent governors; one appointed representative each of the Church of England, the Roman Catholic Church, the Free Churches, and the Jewish Faith.
- 6.10 Non-voting co-opted members may be appointed by:
- a) The council, to serve on its committees and
  - b) committees to serve on their sub-committees.

## **7. The City Mayor and the Cabinet**

The City Mayor will appoint between two and nine councillors to the Cabinet (one of whom will be appointed by the City Mayor to act as Deputy City Mayor).

## **8. Chairs and Deputy Chairs**

- 8.1 The council will appoint Chairs and (where required) Deputy Chairs of ordinary committees, the Overview and Scrutiny Board and Scrutiny Panels, and Advisory Committees.
- 8.2 Chairs and (where required) Deputies of sub-committees of committees will be appointed by the parent committee.
- 8.3 The council may at any time remove a Chair or Deputy of a committee.
- 8.4 Where there is a vacancy for Chair, the Deputy Chair will act as Chair until the council fills the vacancy.
- 8.5 Where there are vacancies for both Chair and Deputy, the committee or sub-committee will appoint one of its members to be a temporary Chair until the vacancy is filled by the council.
- 8.6 Written notice of the resignation of a Chair or Deputy will be effective on receipt by the Monitoring Officer.
- 8.7 If the Chair and Deputy are disqualified from acting, are absent, or decline to act as Chair, the meeting will appoint another member to chair the meeting. If that member has to leave, another member should be appointed.
- 8.8 A joint meeting should appoint a member to chair the meeting.

## **9. Dates and timings of council meetings**

- 9.1 Subject to Rules 9.2 to 9.4A the Head of Paid Service is responsible for determining the schedule of and convening all meetings.
- 9.2 The Annual Meeting of Council will take place at Salford Civic Centre on the third Wednesday in May unless otherwise agreed by council **or, pursuant to the 2020 Regulations, the Annual Meeting is not held.**
- 9.2A Notwithstanding the provisions of the 2020 Regulations an Annual Meeting may still be held:**
- a) where called by the Ceremonial Mayor; or
  - b) following a resolution calling for an Annual Meeting passed at a meeting of the Council.
- 9.3 \*\*\*A meeting of the council will take place between the earlier of the date of the last precept received by the authority and 10 March each year in order to calculate the council tax requirement and set the council tax.
- 9.4 Dates and times of ordinary meetings of the council will be agreed by the council at the Annual Meeting. The council will ordinarily meet in the months of March, May, July, September, November and January.
- 9.4A Where, pursuant to the 2020 Regulations, the Annual Meeting is not held, the dates and times of ordinary meetings of the Council will be agreed by the Council at its next Meeting.**
- 9.5 Council meetings will start at 9.30a.m. unless otherwise determined by the Chair.
- 9.6 \*\*\*Those listed below may request the Head of Paid Service to call extraordinary council meetings:
- a) The council by resolution.
  - b) The Ceremonial Mayor (as Chair of the Council).
  - c) The Monitoring Officer.
  - d) any five members of the council if they have signed a requisition presented to the Ceremonial Mayor and they have refused to call a meeting or have failed to do so within seven days of the presentation of a requisition.
- 9.7 Meetings of committees and sub-committees will be convened by the Head of Paid Service in consultation with the Chair.

## 10. Notices of and summons to meetings

10.1 The Monitoring Officer will give notice to the public of the time and place of any meeting in accordance with the **Interim** Access to Information Procedure Rules at Section B of Part 4 of the Constitution. At least five clear days before a meeting the Monitoring Officer will send a summons signed by her or him to every member of the council **by, (i) leaving it at, or sending it by post, to the member's usual place of residence; (ii) where the member has specified an address other than the member's usual place of residence, leaving it at, or sending it by post, to that different address; or (iii) where the member has given consent for the summons to be transmitted in electronic form to a particular electronic address (and consent has not been withdrawn), sending it in electronic form to that address.** The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available. The summons shall include the following as appropriate:

- a) Receipt of petitions.
- b) Public question time (30 minutes in total).
- c) Minutes of the previous meeting.
- d) Declarations of interest.
- e) Statement of the City Mayor.
- f) Proposals and recommendations of council committees and Regulatory Panels.
- g) General questions or comments to the City Mayor.
- h) Questions and comments to nominated spokespersons of Joint Authorities and Joint Committees in accordance with Rule 21.
- i) Notices of Motion.
- j) Any other specified business.

10.2 The order of business shall be as set out in the agenda and in Rule 13, and (subject to any statutory requirements) may be varied by decision of the council.

## 11. Quorum

11.1 The minimum number of voting members necessary for business to be dealt with at each meeting (the 'Quorum') is as follows:

Council	16
Committees (with more than 12 members)	5
Committees (with 12 or fewer members)	3

Joint meetings\* Relevant Quorum from each Committee

Sub-Committees	3
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Joint meetings\* 3 from each Sub-Committee

(\*In determining that a Quorum for a Joint Meeting is present, a member who sits on more than one of the committees/ sub-committees involved shall be counted towards each individual Quorum).

- 11.2 If, during the course of a meeting, the number of members present falls below the Quorum the meeting cannot continue and **shall immediately be adjourned by the Chair. If the quorum requirement is, within 15 minutes, able to again be satisfied the meeting may then continue. Otherwise,** any outstanding business will be carried forward to the next meeting.

## **12. Duration of meetings of full Council**

Unless the majority of members present vote for the meeting to continue, any meeting of full Council that has lasted for three hours will adjourn immediately. Remaining business will be considered at a time and date fixed by the Ceremonial Mayor. If they do not fix a date, the remaining business will be considered at the next ordinary meeting.

## **13. Order of business**

- 13.1 All council meetings, except extraordinary meetings, will commence with public question time (30 minutes in total) where questions which have been previously notified to the council will be put to the City Mayor.
- 13.2 Subject to Rules 13.1, 13.4, 13.5 and **15.6**, the agenda and order of business for meetings will be determined by the Monitoring Officer in consultation with the appropriate Chair and chief officers.
- 13.3 The order of business may be altered at the meeting.
- 13.4 Business at the Annual Meeting of the Council will consist of:
- a) Election of the Ceremonial Mayor and appointment of the Deputy Ceremonial Deputy Mayor.
  - b) Appointment of the Overview and Scrutiny Board, Scrutiny Panels, a Standards Committee, a Planning and Transportation Regulatory Panel, a Licensing and Safety Regulatory Panel, a Licensing Committee, an Audit and Accounts Committee, a Workforce Panel, a Health and Wellbeing Board and such other committees as the Council considers appropriate to deal with the matters which are neither reserved to the council nor are executive functions as set out in Part 3 of this Constitution.
  - c) Appointment of representatives.
  - d) Approval of dates of meetings.
  - e) Any other business specified in the summons to the meeting.

13.5 The business at all ordinary council meetings will consist of:

- a) If the Ceremonial Mayor and Ceremonial Deputy Mayor are absent, to appoint a person to chair the meeting.
- b) Receipt of petitions/ communications.
- c) Public question time.
- d) Any announcements or special business (including the submission of any urgent business) introduced by the Chair.
- e) Disclosure by members of 'Disclosable Pecuniary Interests' (as defined by The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012), and members' 'Personal Interests' in accordance with paragraph 8.1 of Salford City Council's **Interim** Code of Conduct for Members.
- f) Approval of the minutes of the last meeting as a correct record.  
  
(The Chair will move that the minutes be approved and, if so approved, will sign them as a correct record. There will be no discussion on the minutes except as to their accuracy).
- g) Statement of the City Mayor.
- h) Any business remaining from previous meetings.
- i) General questions to the City Mayor under Rules 20.2(a) and 20.3.
- j) Minutes of Council Committees and questions to Committee Chairs under Rules 20.2(b) and 20.4.
- k) Questions to nominated spokespersons of Joint Authorities and Outside Bodies under Rule 21.
- l) Notices of Motion submitted under Rule 15 (to be dealt with in their order of receipt by the Monitoring Officer).
- m) Any other business specified in the summons to the meeting.

## **14. Public Question Time**

- 14.1 The council will hold a public question time of up to 30 minutes at each meeting of full Council during which questions or representations which have previously been notified to the council will be put to the City Mayor.
- 14.2 Every question or representation must be notified, in writing, to the Monitoring Officer by 4.00pm on the day (usually a Friday) which is 12 days before the council meeting, or correspondingly earlier if any of the 12 days are Bank

Holidays. Each question or representation must give the name and address of the questioner. The City Mayor will determine which Member of the council will respond to a public question.

- 14.3 The Monitoring Officer may reject a public question if it:
- is not about a matter for which the local authority has a responsibility or which affects the Salford City Council
  - is defamatory, frivolous or offensive
  - is substantially the same as a question which has been put at a meeting of the council in the past six months or
  - requires the disclosure of confidential or exempt information.
- 14.4 The Monitoring Officer will determine which public questions should be included on the council agenda, and will give formally recorded reasons for excluding any public questions. The Monitoring Officer will send a copy of any public questions included on the council agenda to the City Mayor, who will determine which Member of the council will respond to each public question. Copies of all public questions will be circulated to all Members and will be made available to the public attending the meeting.
- 14.5 **Subject to Rule 14.6 below** any member of the public who submits a public question to council will be required to comply with the council's rules of debate, as follows:
- a) A member of the public shall only ask the public question that has been approved by the Monitoring Officer in accordance with Rule 14.4 above.
  - b) A member of the public shall stand when speaking (unless prevented by illness or infirmity) and shall speak to the Chair.
  - c) If the Chair speaks or stands, the member of the public speaking shall immediately sit down and not interrupt while the Chair is speaking or standing.
  - d) A member of the public shall be permitted the time required to read out the question they have submitted.
  - e) The City Mayor shall determine which Member of the council will reply to a public question.
  - f) The member of the public putting the original public question may, within a five minute allowance, make a comment/ask a supplementary question but only in respect of the reply given by the City Mayor (or other Member of the council who responds to the public question).
  - g) The City Mayor or other appropriate Member of the council may make a final comment.

**14.6** Where a meeting of full Council is a remote meeting and one or more public questions are included on the agenda, the Monitoring Officer shall determine prior to the meeting an appropriate means for those questions to be presented at the meeting and shall ensure that means of presentation is specified in the Agenda. Alternatives to physical presentation of a question at the meeting may include taking the inclusion of the written question on the agenda under Rule 14.4 as being the sole means of presentation permitted or allowing the question to be submitted by an appropriate remote means. The Chair shall have discretion to alter the Council's rules of debate set out in Rule 14.5 (except for Rules 14.5(a), and 14.5(e)) insofar as is necessary to accommodate the means of presentation determined by the Monitoring Officer.

## **15. Notices of Motion to Council**

### **15.1 Notice**

Except for the motions which can be moved without notice under Rule 16.1, every Notice of Motion shall be in writing or e-mail and delivered to the Monitoring Officer by 4.00pm on the Friday which falls 12 days before the Council meeting. (If this Friday is a Bank Holiday, Notices of Motion will be accepted up to 4.00pm on the previous day (Thursday).

**15.2** Notices of Motion must be signed by the proposer and one other Member of the council. **For this purpose, and without prejudice to the discretion afforded the Monitoring Officer under Rule B1.3, an email from a Councillor, using their individual City Council email account, confirming that they wish to be a signatory to a particular Notice of Motion will constitute their signature being applied to the Notice of Motion.**

**15.3** The Monitoring Officer will number each Notice of Motion in the order in which it is received, and provided it is in order will publish the Notice of Motion together with a record of the time and date of its receipt, in a register open to public inspection. **Publishing a Notice of Motion on the Council's website will satisfy the requirement to include it in a register open to public inspection.**

**15.4** Motions must either be about matters which affect the council or the interests of the city or its residents, provided that no such Motion may seek to take a decision in respect of a matter which is the responsibility of the City Mayor or Cabinet Members (other than to make a recommendation).

**15.5** Following consultation with the Monitoring Officer the Chair may:

- a) exclude from the council agenda any motion which they consider to be out of order or
- b) amend any motion subject to the agreement of the proposer.

- 15.6 The Monitoring Officer shall set out in the council agenda all valid Notices of Motion in the order in which they were received.
- 15.7 When the proposer of a motion is unable to attend the Council meeting, they may write to the Chair authorising another Member who signed the motion to move it. If no such authority has been given, the motion falls.

## **16. Motions without Notice at Council**

- 16.1 The following motions may be moved without notice.
- a) To appoint a Member to chair the meeting at which the motion is moved.
  - b) To approve or correct the minutes of the previous meeting.
  - c) To change the order of business in the agenda.
  - d) To combine debates on items on the agenda.
  - e) To move committee minutes.
  - f) To withdraw any motion or amendment (by the mover).
  - g) To go to the next business.
  - h) To put the question immediately to a vote.
  - i) To adjourn the debate.
  - j) To adjourn the meeting.
  - k) That a meeting of full council continue beyond three hours in duration.
  - l) To exclude the public and press during consideration of confidential business in accordance with the council's **Interim** Access to Information Procedure Rules.
  - m) To not hear a Member further under Rule **24.2** or to exclude them from the meeting under Rule **24.3**.
  - n) To suspend a particular council Procedure Rule (See Rule 2.1).
  - o) To suspend, in whole or in part, any Remote Meetings Protocol(s) adopted under Rule 28 that apply to the meeting.**
- 16.2 A Member may not move any of the motions in Rule 16.1 more than once at a meeting. If a motion under Rule 16.1 is not carried, it cannot be moved again on the same item unless the Chair decides the circumstances have changed significantly.

## **17. Previous Decisions and Motions (Six Months' Rule)**

17.1 Decisions of the council made within the last six months may not be changed, unless a Notice of Motion has been given and signed by at least 20 Members.

17.2 A motion or amendment in similar terms to one that has been rejected at a meeting of council in the past six months cannot be moved, unless this rule is suspended.

## **18. Council: Rules of Debate**

### **18.1 Respect for the Chair**

- a) A Member or officer shall stand when speaking (unless prevented by illness or infirmity) and shall speak to the Chair.
- b) If two or more Members or officers stand, the Chair shall call on one to speak and the other(s) shall sit.
- c) While a Member or officer is speaking, the others shall remain seated unless raising a point of order or personal explanation.
- d) If the Chair stands, the Member or officer speaking shall immediately sit down and no Member or officer shall interrupt while the Chair is standing.

### **18.2 No speeches until motion seconded**

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

### **18.3 Right to require motion in writing**

Unless Notice of the Motion has already been given, the Chair may require it to be written down and **delivered** to him or her before it is discussed.

### **18.4 Secunder's speech**

When seconding a motion or an amendment, a Member may reserve their speech until late in the debate.

### **18.5 Content and length of speeches**

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed 10 minutes (where the Member is moving a motion) or 5 minutes (in all other cases).

### **18.6 When a Member may speak again**

A Member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- a) to speak once on an amendment moved by another Member
- b) to move a further amendment if the motion has been amended since they last spoke
- c) if their speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which they spoke was carried)
- d) in exercise of a right to reply
- e) on a point of order and
- f) by way of a personal explanation.

#### 18.7 **Amendments to motions**

- a) An amendment to a motion must be relevant to the motion and will either be:
  - (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
  - (ii) to leave out words;
  - (iii) to leave out words and insert or add others; or
  - (iv) to insert or add words.as long as the effect of (iii) to (iv) is not to negate the motion.
- b) 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.
- c) If an amendment is lost, other amendments may be moved to the original motion.
- d) 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 may be moved.
- e) After an amendment has been carried, the Chair will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

### 18.8 **Alteration of motion**

- a) A Member may alter a motion of which they have given notice with the consent of the meeting. The meetings consent will be signified without discussion.
- b) A Member may alter a motion which they have moved without notice with the consent of both the meeting and the seconder. The meetings consent will be signified without discussion.
- c) Only alterations which could be made as an amendment may be made.

### 18.9 **Withdrawal of motion**

A Member may withdraw a motion which they have moved with the consent of both the meeting and the seconder. The meetings consent will be signified without discussion. No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

### 18.10 **Right of Reply**

- a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.
- c) The mover of the amendment has no right of reply to the debate on their amendment.

### 18.11 **Motions which may be moved during debate**

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

- a) to withdraw a motion (by the mover)
- b) to amend a motion
- c) to proceed to the next business
- d) that the question be now put
- e) to adjourn a debate
- f) to adjourn a meeting
- g) that the meeting continue beyond three hours in duration

- h) to exclude the public and press in accordance with the council's **Interim Access to Information Procedure Rules** and
- i) to not hear a Member named under Rule **24.2** or to exclude them from the meeting under Rule **24.3**.

#### 18.12 **Closure motions**

- a) A Member may move, without comment, the following motions at the end of a speech of another Member:
  - i) to proceed to the next business
  - ii) that the question be now put
  - iii) to adjourn a debate or
  - iv) to adjourn a meeting.
- b) If a motion to proceed to next business is seconded and the Chair thinks the item has been sufficiently discussed, they will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- c) If a motion that the question be now put is seconded and the Chair thinks the item has been sufficiently discussed, they will put the procedural motion to the vote. If it is passed he or she will give the mover of the original motion a right of reply before putting his or her motion to the vote.
- d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chair thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, they will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

#### 18.13 **Point of order**

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

#### 18.14 **Personal explanation**

A 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 Member which may appear to have been misunderstood in the present debate. The ruling of the Chair on the admissibility of a personal explanation will be final.

## **19. Voting**

### **19.1 Majority**

Unless any enactment or this Constitution provides otherwise, any matter will be decided by a simple majority of those Members voting and present in the **meeting** at the time the question was put.

### **19.2 Chair's casting vote**

If there are equal numbers of votes for and against, the Chair will have a second or casting vote.

### **19.3 Show of hands**

Unless a recorded vote is demanded under Rule 19.4, the Chair will take the vote by show of hands, **or by other suitable means**, or if there is no dissent, by the affirmation of the meeting.

### **19.4 Recorded vote**

If three Members present at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes.

### **19.5 Right to require individual vote to be recorded**

Where any Member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

### **19.6 Voting on appointments**

If there are more than two people nominated for any one position to be filled and there is not a clear majority 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.

## **20. Questions by Members**

### **20.1 Length of questions by Members**

No questions by Members (either with or without notice) under Rule 20 or Rule 21 may exceed 5 minutes.

### **20.2 On reports of the City Mayor and Cabinet Members or Council Committees**

- a) A Member of the council may ask the City Mayor a question without notice upon an item of a report of the City Mayor or of a Member of the Cabinet when that item is being received or under consideration by council.
- b) A Member of the council may ask the Chair of a council committee a question without notice upon an item of a report of the committee when that item is being received or under consideration by council.

### **20.3 Questions on notice at full Council**

Subject to Rule 20.5, a Member of the council may ask the City Mayor a question on any matter in relation to which the Council has powers or duties, or which affects Salford, and which is the responsibility of the City Mayor or a Member of the Cabinet, and may ask the Chair of a committee, a question on any matter in relation to which the Council has powers or duties, or which affects Salford, which falls within the terms of reference of committee or sub-committee.

### **20.4 Questions on notice at committees and sub-committees**

Subject to Rule 20.5 a Member of a committee or sub-committee may ask the Chair of it a question on any matter in relation to which the council has powers or duties, or which affects Salford, and which falls within the terms of reference of that committee or sub-committee.

### **20.5 Notice of Questions**

Wherever practicable when a Member wishes to ask a question under Rules 20.3 or 20.4 they should either:-

- a) Give at least 48 hours notice in writing of the question to the Monitoring Officer; or
- b) If the question relates to urgent matters, seek the consent of the person to whom the question is to be put and give notice of the content of the question to the Monitoring Officer at least two hours prior to the start of the meeting.

### **20.6 Response**

An answer may take the form of:

- a) A direct oral answer.
- b) Where the desired information is contained in a publication of the council or other published work, a reference to that publication.

- c) Where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

## 20.7 **Supplementary question**

A Member asking a question under Rule 20.2 or 20.3 may ask one supplementary question without notice of the Member to whom the first question was asked or may make one comment on the answer given by the Member to whom the question was asked. The supplementary question, or the comment, must arise directly out of the original question or the reply.

## 21. **Questions at Council about Joint Authorities or Joint Committees**

21.1 A Member may put a written question to the nominated spokesperson of the following Joint Authorities and Joint Committees about any matter which relates to the work of that authority:-

- a) The Greater Manchester Combined Authority.
- b) The Greater Manchester Police and Crime Panel
- c) The **Greater Manchester Waste and Recycling Committee**
- d) The **Greater Manchester Transport Committee**.

21.2 Wherever practicable when a Member wishes to ask a question under Rule 21.1 they should submit a copy of their question to the council's nominated spokesperson and to the Monitoring Officer no later than 48 hours prior to the meeting.

21.3 The question will be put, the nominated spokesperson will present their reply, there may then be a debate, following which the nominated spokesperson will have a right of reply.

## 22. **Minutes**

### 22.1 **Signing the minutes**

The Chair will sign the minutes of the proceedings of a meeting of full Council at the next suitable meeting. The Chair will move that the minutes of the previous meeting of full Council will be signed as a correct record. The only part of the minutes that can be discussed is their accuracy and matters arising.

### 22.2 **No requirement to sign minutes of previous meeting at extraordinary meeting**

Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of schedule 12 to the Local Government Act 1972 (an Extraordinary Meeting), then the next following

meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of schedule 12 relating to signing of minutes.

### 22.3 **Form of minutes**

Minutes will contain all motions and amendments in the exact form and order the Chair put them.

## 23. **Exclusion of public**

Members of the public and press may only be excluded either in accordance with the **Interim** Access to Information Procedure Rules in Section B of Part 4 of this Constitution or Rules 24.4 and 24.5 below.

## 24. **Conduct at Meetings**

24.1 If the Chair calls the meeting to order Members shall be silent.

24.2 If a Member behaves improperly or offensively or deliberately obstructs business, the Chair may direct the Member to be silent.

24.3 If the Member continues such behaviour the Chair may direct either that the Member leaves the meeting or that the meeting be adjourned for a specified period.

**24.3A Where the Ceremonial Mayor directs under Rule 24.3 that a member in remote attendance leave the meeting, insofar as possible that member's means of remote attendance at, and remote access to, the meeting will be terminated for the duration of their exclusion from the meeting.**

24.4 If a member of the public interrupts proceedings, the Chair will warn the person concerned. If the interruption continues, the Chair may order their removal from the meeting.

**24.4A Where the Ceremonial Mayor directs under Rule 24.4 that a member of the public remotely accessing the meeting is to be removed from the meeting, insofar as possible that member of the public's ability to remotely access or participate in the meeting will be terminated.**

24.5 If there is a disturbance which interrupts proceedings, or makes business impossible, the Chair may call for the room to be cleared of those making the disturbance, and may adjourn the meeting for as long as necessary.

24.6 Members of the council, officers and members of the public shall not permit mobile telephones, pagers, or other such devices with audible operating signals, to be brought into council, committee or sub-committee meetings unless the audible call function is muted for the duration of the meeting. **This also applies to those individuals remotely participating in meetings,**

where the aforementioned devices may be audible to others participating in or accessing the meeting.

**24.7** Whenever a member in remote attendance is taking part in the consideration of business from which the public have been excluded the member will ensure that the actual location they are at is secure and that the proceedings cannot be overheard or observed by anyone else at that location, except for any person also entitled to be present during consideration of the business in question.

## **25. Recording, Filming, Photographing and other reporting of Meetings**

Where the public are admitted (**including by way of remote access**) to council, committee or sub-committee meetings, then audio recording, filming, photographing or other reporting of proceedings may take place in accordance with Rule 3.2 of Section B of Part 4 of this Constitution.

## **26. Notification and Declaration of Interests**

**26.1** In this rule, and where relevant, Rule 27:

- 'The Code' means the **Interim** Code of Conduct for Members adopted by Salford City Council under section 28 of the Localism Act 2011.
- 'Disclosable Pecuniary Interest' means an interest specified in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and set out in paragraph **4** of the Code.
- 'Member of the council' includes a co-opted voting Member.
- 'personal interest' for the purposes of Rule 26.2 means an interest described in paragraph **7** of the Code, and for the purpose of Rule **26.3** and Rule 27 means an interest described in paragraph **7** or **8.2** of the Code.
- 'prejudicial interest' means an interest described in paragraph **9.1** of the Code.

**26.2** Members of the council must:

- a) within 28 days of their election or appointment to office, or
- b) in the case of Members in office on 18 July 2012, within two months of the adoption of the Code

notify the Monitoring Officer in writing of the details of their disclosable pecuniary interests (including, where required, interests of their partner) and their personal interests.

26.3 Where a Member of the council is present at a meeting and has a disclosable pecuniary interest or, subject to paragraphs 8.4 to 8.6 of the Code, a personal interest in any matter to be considered at the meeting, they must disclose the interest to the meeting.

## **27. Non-participation and withdrawal in the case of disclosable pecuniary interests and prejudicial interests**

Where a Member of the council has a disclosable pecuniary interest or, subject to paragraphs 9.3 and 9.4 of the Code, a prejudicial interest in any matter being considered at a meeting, they must not participate or vote on the matter and must withdraw from the room of the meeting while the matter is being considered. **In the case of a member in remote attendance at the meeting, they must suspend use of their means of remote attendance at, and remote access to, the meeting during this time.**

## **28. Remote Meetings Protocols**

**28.1 The Council may adopt one or more Remote Meetings Protocols to supplement these Rules in the case of remote meetings.**

**28.2 Such Remote Meetings Protocols may, subject to complying with legal requirements and these Rules, include provision relating to:**

- a) **voting;**
- b) **access to documents;**
- c) **remote access of public and press to Council meetings to enable them to attend or participate in such meetings by electronic means, including by telephone conference, videoconference, live webcasts, and live interactive streaming;**
- d) **rules of conduct to be followed by participants in a meeting, including rules specific to the use of particular remote meeting technologies;**
- e) **such other procedural or technical matters as are necessary for the effective conduct of remote meetings.**

**28.3 The Council may revoke or suspend (either wholly or in part) any Remote Meetings Protocol.**