

## CONSTITUTION PRACTICE NOTE

### COUNCIL MEETINGS MOTIONS AND AMENDMENTS

#### **Purpose of this Practice Note**

This Practice Note is intended to provide guidance to the Mayor and councillors on the process to be followed at Council meetings on motions and amendments to motions. It should be noted that amendments to motions, including those relating to budget setting require notice to be given in advance of the meeting.

The general procedures described in sections 1 to 4 below also relate to Cabinet and committee meetings, although in those cases the time limits referred to do not apply.

#### **Motions on Report Recommendations**

The Practice Note sets out the scenarios most likely to arise in considering motions relating to recommendations in reports to the Council. These are set out in the worked examples given in sections 1 to 4 below.

#### **Notices of Motion**

Those four options also exist in the case of Notices of Motion at Council meetings but in that case a fifth option also exists, as described in 5 below.

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#### **1. ORIGINAL MOTION IS DEBATED AND VOTED UPON WITHOUT ANY NOTICE OF AMENDMENTS BEING GIVEN**

##### *Scenario*

- The report's recommendations will be moved, seconded, discussed and agreed without any amendments being moved.

##### *Procedure:*

- 1.1 The recommendation(s) in the report are moved by the relevant Cabinet Member or Chairman, who may speak for up to 10 minutes.
- 1.2 The motion must be seconded or it cannot be discussed. The seconder may reserve the right to speak until later in the debate. They may speak for up to five minutes.
- 1.3 The debate ensues, with no amendments being moved.
- 1.4 Any councillor may speak only once for up to five minutes.
- 1.5 When it looks as though no other members want to speak, and before the motion is put to the vote, the mover of the motion should be given the right of reply. Mayor to say **“As no other members have indicated they wish to speak to the motion I will ask Councillor ... to reply.”**
- 1.6 After they have spoken, Mayor to say **“Would those in favour of the motion**

**please indicate.”** Pause for counting. **“Those against.”** Then declare the motion carried or lost.

## 2. **AMENDMENT MOVED - VOTED ON - BUT LOST**

*Scenario:*

- The recommendation(s) will be moved and seconded.
- An amendment will then be moved, seconded and discussed, but lost when being put to the vote.
- Discussion will then return to the original motion to approve the recommendation(s) as presented.

*Procedure:*

- 2.1 The recommendation(s) in the report are moved by the relevant Cabinet Member or Chairman, who may speak for up to 10 minutes.
- 2.2 The motion must be seconded or it cannot be discussed. The seconder may reserve the right to speak until later in the debate. They may speak for up to five minutes.
- 2.3 An amendment is moved. The mover may speak for up to five minutes.
- 2.4 It must be seconded or it cannot be discussed. The seconder may reserve the right to speak. The seconder may speak for up to five minutes.
- 2.5 If it is **not seconded** Mayor to say **“As the amendment has not been seconded, we will now debate the original motion”**.
- 2.6 If the amendment **is seconded**, any councillor can then talk on the amendment for up to five minutes each.
- 2.7 When it looks as though no other members want to speak, and before the amendment is put to the vote, the **mover of the original motion** should be given the right of reply. Mayor to say **“As no other members have indicated they wish to speak to the amendment I will ask Councillor .... to reply.”**
- 2.8 The amendment is lost. The debate returns to the original motion.
- 2.9 Each other councillor may speak only once for up to five minutes provided they had not already spoken before the amendment was moved.
- 2.10 The **mover of the original motion** will have the right of reply at the end of the debate and before the motion is put to the vote. Mayor to say **“As no other members have indicated they wish to speak I will ask Councillor ... to reply.”**
- 2.11 After they have spoken, Mayor to say **“Would those in favour of the motion to approve the recommendation(s) in the report please indicate.”** Pause for counting. **“Those against.”** Then declare the motion carried or lost.

3. **AMENDMENT MOVED – AGREED BY MOVER OF ORIGINAL MOTION – DEBATE AND VOTE TAKEN ON THE AMENDED MOTION ONLY**

*Scenario*

- The recommendations will be moved and seconded.
- An amendment will then be moved, seconded and agreed by the mover of the original motion.
- The amended motion then becomes the agreed motion for debate and will be discussed.

*Procedure:*

- 3.1 The recommendation(s) in the report are moved by the relevant Cabinet Member or Chairman, who may speak for up to 10 minutes.
- 3.2 They are seconded. The seconder may reserve the right to speak until later in the debate. They may speak for up to five minutes.
- 3.3 An amendment is moved. The mover may speak for up to five minutes.
- 3.4 It must be seconded or it cannot be discussed. The seconder may speak for up to five minutes.
- 3.5 Any councillor can then talk on the amendment for up to five minutes each, but if the mover of the original motion accepts the amendment they are likely to say so soon after it has been moved and there will be no need for further discussion on it. If they agree the amendment then Mayor to say **“As the amendment has been agreed by Councillor ..., we will now discuss the amended motion and vote on it”**.
- 3.6 The debate ensues.
- 3.7 Each other councillor may speak only once for up to five minutes.
- 3.8 The **mover of the original motion** will have the right of reply at the end of the discussion before the vote is taken. Mayor to say **“As no other members have indicated they wish to speak I will ask Councillor ... to reply.”**
- 3.9 After they have spoken, Mayor to say **“Would those in favour of the motion as amended please indicate.”** Pause for counting. **“Those against.”** Then declare the motion carried or lost.

#### 4. **AMENDMENT MOVED - VOTED ON AND AGREED – DEBATE AND VOTE ON THE AMENDED MOTION**

*Scenario:*

- The recommendations will be moved and seconded.
- An amendment will then be moved, seconded and discussed and agreed when put to the vote.
- Discussion will then continue on the amended (substantive) motion before it is put to the vote and agreed.

*Procedure:*

- 4.1 The recommendation(s) in the report are moved by the relevant Cabinet Member or Chairman, who may speak for up to 10 minutes.
- 4.2 They are seconded. The seconder may reserve the right to speak until later in the debate. They may speak for up to five minutes.
- 4.3 An amendment is moved. The mover may speak for up to five minutes.
- 4.4 It must be seconded or it cannot be discussed. The seconder may speak for up to five minutes.
- 4.5 The debate on the amendment ensues. Any councillor may speak once for up to five minutes.
- 4.6 When it looks as though no other members want to speak, and before the amendment is put to the vote, the mover of the original motion should be given the right of reply. Mayor to say **“As no other members have indicated they wish to speak to the amendment I will ask Councillor ... to reply.”**
- 4.7 After they have spoken, Mayor to say **“Would those in favour of the motion as amended please indicate.”** Pause for counting. **“Those against.”** Then declare the motion carried or lost.
- 4.8 Assuming it is agreed, Mayor to say **“The original motion is now before the Council with the agreed amendments. Before we go to the vote on the amended motion does any member wish to speak further?”**
- 4.9 If they do wish to speak follow the full process below. However, if no member indicates they wish to speak go to paragraph 4.12.
- 4.10 The debate ensues.
- 4.11 Each other councillor may speak only once for up to five minutes.
- 4.12 The **mover of the original motion** will have the right of reply at the end of the discussion before the vote is taken. You should say **“As no other members have indicated they wish to speak I will ask Councillor ... to reply.”**
- 4.13 After they have spoken, Mayor to say **“Would those in favour of the motion as amended please indicate.”** Pause for counting. **“Those against.”** Then declare the motion carried or lost.

5. **NOTICES OF MOTION** – As well as the above four scenarios, there exists a fifth for Notices of Motion, which is described below.

**IT IS MOVED THAT THE NOTICE OF MOTION IS REFERRED TO CABINET WITHOUT DEBATE**

*Scenario*

- The notice of motion will be moved and seconded.
- A member of the Administration Group member will move that the motion is referred to the Cabinet for consideration without debate.
- If that motion is agreed the item is complete but if not the original motion must be debated and voted on in the usual way.

*Procedure:*

- 5.1 The proposal in the notice of motion will be moved. The mover may speak for up to 10 minutes.
- 5.2 The motion is seconded. The seconder may reserve the right to speak until later in the debate. They may speak for up to five minutes.
- 5.3 A member of the Administration Group must then be invited to speak.
- 5.4 They will move that the motion be referred to the Cabinet. (A motion to refer may be moved at this stage or later on in the debate.)
- 5.5 That motion must be seconded.
- 5.6 The motion will be put to the vote without further discussion. The mover of the notice of motion will not have the right of reply.
- 5.7 Mayor to say **“There has been a motion to refer the matter to the Cabinet for consideration. Would those in favour please indicate?”** Then **“Those against.”**
- 5.8 If **carried**, the motion stands referred to the Cabinet and the item is concluded with no further debate.
- 5.9 If **not carried**, the debate continues in the normal way.
- 5.10 Any councillor may speak only once for up to five minutes.
- 5.11 When it looks as though no other members want to speak, and before the motion is put to the vote, the mover of the notice of motion should be given the right of reply. Mayor to say **“As no other members have indicated they wish to speak I will ask Councillor ... to reply.”**
- 5.12 After they have spoken, Mayor to say **“Would those in favour of the motion please indicate?”** Then **“Those against.”** Then declare the motion carried or lost.