

## CONSTITUTION REVIEW 2014 – MISCELLANEOUS CHANGES

### 1. Addresses and questions by the public at Council meetings

#### Council Meetings

#### 11.10 Addresses by the public

##### (i) **Personal attacks and individual personal circumstances**

Addresses must not contain personal attacks nor must they relate to individual personal circumstances. If an address contains a personal attack or if individual personal circumstances are mentioned, the lord mayor will ask the speaker to stop. If the personal attack or reference to individual personal circumstances continues, the lord mayor will ask the speaker to leave. If the speaker refuses to leave straight away, the lord mayor can halt the meeting until they do.

#### 11.11 Questions by the public

##### (a) **Asking questions at full Council**

Members of the public can ask questions at ordinary meetings. These can be addressed to the leader or other Board member. Questions must be about something the Council is responsible for, something that directly affects people in the city or something for decision at the meeting. Questions that relate to individual personal circumstances will not be allowed.

#### 11.12 Rejecting addresses and questions

The Head of Law and Governance can reject a public address or question on notice or a question on notice by a councillor, and the lord mayor can reject a question or statement without notice, if:

- it is not about something the Council is responsible for or about something that directly affects people in the City or about a matter for decision at the meeting
- it is defamatory, frivolous, trivial or offensive
- it requires the Council to make public exempt or confidential information (see 15.4)
- it relates to individual personal circumstances.

If a question or statement is rejected, reasons must be given.

## **Board Meetings**

### **12.7 Order of business**

- when the chair agrees, questions from the public for up to 15 minutes – these must be about the items for decision at the meeting (excluding the minutes) and the full text of any question must have been given to the Head of Law and Governance by 9.30 a.m. at least one clear working day before the meeting. [Questions by the public on individual personal circumstances will not be permitted.](#) No supplementary questions or questioning will be permitted. Questions by the public will be taken as read and, when the chair agrees, be responded to at the meeting.

### 2. Reports to Council on partnerships

#### **11.14 Reports and questions about organisations on which the council is represented**

~~\_\_\_\_\_~~ [Each meeting of Council shall receive a written report concerning the work of one of the partnerships upon which the Council is represented](#)

### 3. Recorded votes on the Budget

#### **11.19 Voting**

##### **(d) Named votes**

- [Any ten councillors present at the meeting can ask for the minutes to name who voted for, who voted against and who abstained on a vote.](#)
- [When full Council is voting upon setting the Council's Budget or setting the Council Tax a named vote must be taken<sup>1</sup>.](#)

### 4. Employment matters to be dealt with by the Head of Paid Service

<sup>1</sup> Regulation 2 of the Local Authorities (Standing Orders) (England)(Amendment) Regulations 2014 provides that after any "budget decision meeting" the names of the persons who cast a vote for the decision or against the decision or who abstained from voting must be recorded. A "budget decision meeting" means a meeting of the relevant body at which it—

(i) \_\_\_\_\_ makes a calculation (whether originally or by way of substitute) in accordance with any of sections 31A, 31B, 34 to 36A, 42A, 42B, 45 to 49, 52ZF, 52ZJ of the Local Government Finance Act 1992; or

(ii) \_\_\_\_\_ issues a precept under Chapter 4 of Part 1 of that Act,

and includes a meeting where making the calculation or issuing the precept as the case may be was included as an item of business on the agenda for that meeting

**9.3 Role of Head of Paid Service**

- (d) The Head of Paid Service must approve any staffing change which could give rise to a severance payment, early retirement, redundancy or a pay re-grading for an officer.
- (e) The Head of Paid Service must approve any contracts other than a contract of employment when an officer is appointed.

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