

## **2.6A Article 2.6A – Policy Development Commissions**

### **2.6.1A Form and Composition**

The Council will appoint three Policy Development Commissions (Children and Young People, Healthier Communities and Older People and Safer and Stronger Communities) to discharge the functions made under Section 32 of the Local Government Act 2000 in relation to matters set out in the right hand column of the table set out overleaf.

### **2.6.2A Terms of Reference**

With their terms of reference the Policy Development Commissions will:

- prepare an annual programme of policy development activity.
- assist in reviewing the Council's Corporate Plan on an annual basis.
- assist in reviewing, on an annual basis, the West Berkshire Partnership's Local Area Agreement.
- make reports and recommendations to Council and the Executive in connection with the discharge of any of the Council's functions.
- make recommendations as to the content of the Policy Development Review Programme in association with the appropriate Executive Member.

### **2.6.3A Co-optees**

The Council wishes to promote the involvement of the local community in its decision making. Appropriate procedures and structures will therefore be put in place to enable as wide a cross section of the Community to be involved as possible.

### **2.6.4A Task Groups**

The Policy Development Commissions may choose to create Task Groups to investigate or review a particular topic. Task Groups will also reflect the political composition of the Authority. Members of the Executive may also be Members of a Task Group.

## 2.6.5A

## West Berkshire Council's Policy Development Commissions

Policy Development Commission	Duties
Children and Young People	<p>In undertaking any policy review to assess the provision of services in relation to Children and Young People and the development of life-long learning across the District.</p> <p>To review of the provision, planning, management and performance of Children and Young People's Service Grouping.</p> <p>To assist in the preparation of an action plan for the Service Grouping in relation to the Comprehensive Performance Assessment.</p> <p>To consider the results of inspections made by external inspectors in relation to the Children and Young People's area.</p> <p>To assist in the annual review of the Children and Young People's aspect of the Council's Corporate Plan.</p> <p>To assist in the annual review of the Children and Young People's aspect of the West Berkshire Partnership's Local Area Agreement.</p>
Healthier Communities and Older People	<p>In undertaking any policy review to assess the provision of services in relation to the Healthier Communities and Older People's agenda across the District.</p> <p>To review of the provision, planning, management and performance of Community Care and Housing Service Grouping.</p> <p>To assist in the preparation of an action plan for the Service Grouping in relation to the Comprehensive Performance Assessment.</p> <p>To consider the results of inspections made by external inspectors in relation to the Community Care and Housing Service Grouping area.</p> <p>To assist in the annual review of the Healthier Communities and Older People's aspect of the Council's Corporate Plan.</p>

Policy Development Commission	Duties
	To assist in the annual review of the Healthier Communities and Older People's aspect of the West Berkshire Partnership's Local Area Agreement.
Safer and Stronger Communities	<p>In undertaking any policy review to assess the provision of services in relation to the Safer and Stronger Communities Block (includes the Strategy and Commissioning Environment and Public Protection Service Groupings) across the District.</p> <p>To review of the provision, planning, management and performance of Strategy and Commissioning and Environment and Public Protection Service Groupings.</p> <p>To assist in the preparation of an action plan for the Service Groupings in relation to the Comprehensive Performance Assessment.</p> <p>To consider the results of inspections made by external inspectors in relation to Strategy and Commissioning and Environment and Public Protection Service Grouping areas.</p> <p>To assist in the annual review of the Healthier Communities and Older People's aspect of the Council's Corporate Plan.</p> <p>To assist in the annual review of the Healthier Communities and Older People's aspect of the West</p>

### 2.6.6A Policy Development Commission

The Policy Development Commissions will:

- Conduct research, undertake and assess community and other consultations in the analysis of policy review issues and possible options.
- Questions Members of the Executive, Area Forums and Senior Officers about their views on issues and proposals affecting the area in the pursuit of developing policy and generally improving the Council's performance.

- Prepare and oversee the implementation of the action plan in relation to external inspections including the Comprehensive Performance Assessment.
- Liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.
- Question and gather evidence from any person/agencies in pursuit of a policy review.
- Make recommendations to the Executive regarding policy and service development and implementation, as appropriate.
- Assist in the annual review of the Council's Corporate Plan.
- Assist in the annual review of the West Berkshire Partnership's Local Area Agreement.

#### **2.6.7A Finance**

The Policy Commissions will exercise overall responsibility for any finances made available to them.

#### **2.6.8A Forward Plan**

The Policy Development Commissions will produce a work programme for itself and its Task Groups for inclusion in the Council's Forward Plan.

#### **2.6.9A Reports**

The Policy Development Commissions will report annually on the work it, its Panels and the Commissions have undertaken during the year and will make recommendations for future work programmes and amended working methods if appropriate.

#### **2.6.10A Proceedings of Policy Development Commissions**

The Policy Development Commissions will conduct their proceedings in accordance with the procedure Rules set out in part 4 of this Constitution.

# 5A Policy Development Commissions Procedure Rules

## 5.1.A Constitution of the Policy Development Commissions

The Council will have the Overview and Scrutiny Commission, Scrutiny Panels and Policy Commissions set out in Article 6 and will appoint them as it considers appropriate from time to time. Task Groups may also be appointed by the Policy Commissions to assist their work. Additional Policy Commissions may also be appointed by the Council for a fixed period, on the expiry of which they shall cease to exist.

## 5.1.2A Terms of Reference – Policy Development Commissions

Policy Commissions will have the powers to:

- Conduct research, undertake community and other consultations in the analysis of policy issues and possible options.
- Questions Members of the Executive, Area Forums and Senior Officers about their views on issues and proposals affecting the area in the pursuit of developing policy and generally improving the Council's performance..
- Liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.
- To invite other appropriate agencies/persons to attend meetings in order to assist with any policy review.

### Children and Young People's Policy Development Commission

- To provide support for the development of policy as detailed in the approved Policy Development Programme.
- To consider and review the functions of the Council managed by the Director for Children and Young People and related matters affecting West Berkshire or its residents.
- To undertake work in association with the relevant Action Groups of the West Berkshire Partnership in pursuit of both Council and Community objectives.
- Assist in the annual review of the Council's Corporate Plan.

- Assist in the annual review of the West Berkshire Partnership's Local Area Agreement.
- Prepare and oversee the implementation of the action plan in relation to external inspections including the Comprehensive Performance Assessment.

#### **Healthier Communities and Older People's Policy Development Commission**

- To consider and review the functions of the Council managed by the Director (Community Care and Housing) and related matters affecting West Berkshire or its residents.
- To undertake work in association with the relevant Action Groups of the West Berkshire Partnership in pursuit of both Council and Community objectives.
- To provide support for the development of policy as detailed in the approved Policy Development Programme.
- Assist in the annual review of the Council's Corporate Plan.
- Assist in the annual review of the West Berkshire Partnership's Local Area Agreement.
- Prepare and oversee the implementation of the action plan in relation to external inspections including the Comprehensive Performance Assessment.

#### **Safer and Stronger Communities Policy Development Commission**

- To consider and review the functions of the Council managed by the Directors for Strategy and Commissioning and Environment and Public Protection) and related matters affecting West Berkshire or its residents.
- To undertake work in association with the relevant Action Groups of the West Berkshire Partnership in pursuit of both Council and Community objectives.
- To provide support for the development of policy as detailed in the approved Policy Development Programme.
- Assist in the annual review of the Council's Corporate Plan.
- Assist in the annual review of the West Berkshire Partnership's Local Area Agreement.

- Prepare and oversee the implementation of the action plan in relation to external inspections including the Comprehensive Performance Assessment.

### **5.1.3A Policy Development Commissions**

The Policy Development Commissions should be regarded as the policy development arm of the Executive. The Policy Development Commissions should have a co-ordinated work programme which informs service provision and delivery.

### **5.1.4A Who may sit on the Policy Development Commissions and Task Groups?**

Any Councillor may be a Member of the Policy Development Commissions. Any Councillor may be a Member of a Task Group appointed by a Policy Commission whether or not they are Members of the relevant Policy Commission.

### **5.1.5A Co-optees**

Each Policy Commission or Task Group appointed by a Policy Commission may appoint non-voting co-optees to assist with a particular review.

### **5.1.6A Education Representatives**

The Children and Young People Policy Development Commission shall appoint non voting church and parent governor co-optees. Such co-optees shall only be entitled to take part in education issues.

### **5.1.7A Frequency of Meetings**

There shall be at one scheduled meeting of the Policy Development Commissions each year. Further meetings will be arranged according to the work programme. Extraordinary meetings may be convened at any time by the relevant Commission Chairman, by any five members of the Commission or by the Head of Policy and performance if he/she considers it necessary and appropriate.

### **5.1.8A Appointment of Chairman and Vice Chairman**

Each Policy Development Commission, at its first meeting, before proceeding to any other business, elect a Chairman and Vice Chairman who shall hold office for the same period as the Commission or such shorter period as may be determined at any time by the Council. In the event of the Council being politically balanced, the Council shall appoint the Chairman of the Policy Development Commissions.

If the Chairman or Vice Chairman ceases to hold office of the Policy Development Commission shall elect a new Chairman or Vice Chairman at its next meeting.

The Chairman of Council shall not be elected Chairman or Vice Chairman of a Policy Development Commission during his/her period of office.

#### **5.1.9A Sub-Committees**

During the course of a Municipal Year Policy Development Commissions may appoint a special Sub-Committee for purposes specified by the Commission and within its own terms of reference. Unless previously discontinued, each Sub-Committee shall cease at the same time as the Commission which appointed it.

Members of the Council may be appointed to serve on a Sub-Committee even though they are not Members of the Parent Committee.

#### **5.1.10A Task Groups**

Task Groups shall conduct their business in accordance with the operating procedures approved from time to time by the Council.

**[Note: The general public admission and speaking rights as set out in Procedure Rule 5.15.4A do not extend to meetings of Task Groups. However, where a Task Group agrees, a specific invitation to attend and speak can be extended to a member of the public.]**

#### **5.1.11A Quorum for Policy Development Commissions**

The quorum for a Commission shall be one third of the whole number of the Members of the Commission or four members, whichever is the greater.

#### **5.1.12A *Chairing Policy Development Commissions***

At least one Commission will be chaired by a Councillor who is a Member of the largest Opposition Group on the Council. Subject to this each Commission shall elect a chairman from amongst the members of the Commission.

#### **5.1.13A Work Programme and Annual Report**

Policy Development Commissions will be responsible, in liaison with the relevant Executive Members, where appropriate, for setting the work programme for itself.

#### **5.1.14A Agenda Items for the Policy Development Commissions**

Any Member of a Commission or Task Group shall be entitled to give notice to the Head of Policy and Performance that he/she wishes an item relevant to the



functions of the Commission to be included on the agenda for the next meeting or referred to the appropriate Policy Development Commission for inclusion on the approved work programme. On receipt of the request the Head of Policy and Performance will ensure that appropriate action is taken.

## **5.2A Policy Review and Development**

### **5.2.1A Role of Policy Commissions in relation to Policy Development**

Policy Commissions may hold enquiries and investigate the available options for future direction in policy development and may appoint advisors and assessors to assist them in this process. Subject to budget availability they may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations. They may ask witnesses to attend to address them on any matter under consideration.

### **5.2.2A Role of Commission in relation to Other Matters**

In relation to the development of the Council's approach to other matters not forming part of the Budget and Policy Framework, the Commission may make proposals to the Executive for developments insofar as they relate to matters within their terms of reference.

## **5.3A Reports from Policy Development Commissions**

### **5.3.1A Preparation of Report**

Once it has formed its recommendations a Policy Development Commission will prepare a formal report and submit it to the Head of Policy and Performance for consideration by the Executive (if the proposals are consistent with the existing Budget and Policy Framework) or to Council as appropriate (eg; if the recommendation would require a departure from or a change to the agreed Budget or Policy Framework).

### **5.3.2A Preparation of Minority Report**

If a Policy Development Commission cannot agree on one single report to the Executive or to Council as appropriate, then up to one minority report may be prepared and submitted for consideration with the majority report.

The body receiving the report shall consider it within six weeks of it being submitted to the Head of Policy and Performance, or such longer timescale as the Chairman of the Commission may agree.

### **5.3.3A Rights of Policy Development Commission Members to Documents**

In addition to their rights as Councillors, Members of Policy Development Commissions have the additional right to documents, and notice of meetings as set out in the Access to Information Rules of Procedure in Part 4 of this Constitution.

To facilitate effective communication more detailed liaison between the Executive and Policy Development Commissions may take place depending on the particular matter under consideration.

#### **5.3.4A Members and Officers Giving Account**

Policy Development Commissions may request the attendance of the appropriate Members or any officer to attend a meeting in order to provide advice and evidence in pursuit of a review being undertaken.

In this context “senior officer” means any Corporate Director, the Monitoring Officer, any of the Council’s Heads of Service or any senior manager on a list maintained by the Chief Executive.

#### **5.3.5A Notice of Attendance**

Where any Member or Officer is required to attend a Policy Development Commission under this provision, the Chairman of the respective Commission will inform the Head of Policy and Performance. The Head of Policy and Performance shall inform the Member or Officer in writing giving at 5 clear working days notice of the meeting at which he/she is required to attend. The notice will state the nature of the item on which he/she is required to attend to give advice/evidence and whether any papers are required to be produced for the Commission. Where the account to be given to the Commission will require the production of a report, then the Member or Officer concerned will be given sufficient notice to allow for the preparation of that documentation.

#### **5.3.6A Member Unable to Attend**

Where, in exceptional circumstances, the Member or Officer is unable to attend on the required date, then the Policy Development Commission shall, in consultation with the Member or Officer, arrange an alternative date for attendance.

#### **5.3.7A Attendance by Others**

Policy Development Commissions may invite people other than those people referred to in Rule 5.3.5A above to address it, discuss issues of local concern and/or answer questions. It may for example wish to hear from residents, stakeholders and Members and Officers in other parts of the public sector and may invite such people to attend. Attendance is of course entirely optional.

#### **5.3.8A Investigations**

Where a Policy Development Commission conducts an investigation, the respective Commission may also ask people to attend to give evidence at meetings which are to be conducted in accordance with the following principles:

- that the investigation be conducted fairly and all Members of the Commission be given an opportunity to ask questions of attendees and speak;
- that those assisting the Commission by giving evidence be treated with respect and courtesy; and
- that the investigation be conducted so as to maximise the efficiency of the investigation or analysis.

### **5.3.9A Report Following Investigations**

Following any investigation or review, a Commission shall prepare a report, for submission to Council, Executive or other Committee as it deems appropriate and shall make its report and findings public.

## **5.4A Access to Documents**

### **5.4.1A Rights to Copies**

Subject to Rule 5.4.2A below, Policy Development Commissions (including their Sub-Committees) will be entitled to copies of any document which is in the possession or control of the Executive and which contains material relating to:

- any business transacted at a meeting of the Executive or its Committees; or
- any decision taken by an individual Member of the Executive.

### **5.4.2A Limit on Rights**

Policy Development Commissions will not be entitled to:

- any document that is in draft form;
- any part of a document that contains exempt or confidential information, unless that information is relevant to an action or decision they are reviewing or the advice of a political adviser.

## **5.5A Meetings of Commissions**

#### **5.5.1A Ordinary Meetings**

There will be one programmed meeting of each Policy Development Commission. Further meetings will be arranged according to the approved work programme.

#### **5.5.2A Extraordinary Meetings**

Extraordinary meetings of Policy Development Commissions may be called at any time by the relevant Chairman, by any five Members of Commissions, or by the Head of Policy and Performance if he/she considers it necessary or appropriate.

#### **5.5.3A Adjustments to Dates**

The Chairmen of the Commissions, in consultation with the Vice-Chairman and the Head of Policy and Performance, may make any adjustment to the date, time and place of meetings considered necessary or desirable.

#### **5.5.4A Smoking**

There shall be a ban on smoking at all meetings.

#### **5.5.5A Mobile Phones**

There shall be a ban on the use of mobile phones at all meetings.

#### **5.5.6A Substitutes**

##### **(a) General**

In respect of the Commissions, Sub-Committees and Panels (if appropriate) there shall be appointed for the Municipal Year such number (if any) of substitute Members as the Council may from time to time determine.

##### **(b) Appointment of Substitute**

If any Member of a Commission, Sub-Committee or Panel is unable to attend a meeting of a Commission, Sub-Committee or Panel they may appoint one of the nominated substitute Members for that Commission, Sub-Committee or Panel to act in their place at the meeting. The appointment shall only take effect if the Member making the appointment, or in the Member's absence their Group Leader or Deputy Group Leader, notifies the Head of Policy and Performance no later than 30 minutes before the meeting that they will be unable to attend the meeting and of the name of the appointed substitute Member.

##### **(c) Changing Substitutes**

A substitute may be changed during the Municipal Year provided that the Head of Policy and Performance or designated Officer receives a written request from the appropriate Group Leader or Deputy Group Leader no later than 30 minutes before the meeting.

#### **5.5.7A Continuation of Meeting**

Meetings of the Select Committees should not normally continue past 10.00pm. If however the Chairman believes that business could be concluded by 10.30pm, a Motion under Rule **5.8.2A** (Motions which may be Moved without Notice) must be moved and supported by a majority of those Members present. All meetings will conclude by 10.30pm at the latest.

#### **5.5.8A Commissions Agendas**

The Head of Policy and Performance will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules of Procedure. The Head of Policy and Performance will send an agenda by post to every Member of the respective Commission, co-optees and any individual Member who requests to receive the agenda, or leave it at their usual place of residence, at least five clear working days before a meeting unless the meeting is convened at shorter notice as a matter of urgency. The agenda 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.

[Note: Clear working days do not include day of agenda despatch or day of meeting.]

#### **5.6A Order of Business**

##### **5.6.1A Ordinary Meeting**

The order of business at an ordinary meeting of each Commission shall be to:

- (a) elect a person to preside if the Chairman or Vice-Chairman are not present;
- (b) receive apologies for the inability to attend the meeting;
- (c) approve the Minutes of the last meeting;
- (d) receive any declarations of interest from Members;
- (e) receive petitions;
- (f) consider any matter referred to the Commission for a decision in relation to the call-in of a decision;  
[Note: This item will be taken last on the agenda if the matter is of an exempt nature.]
- (g) receive responses of the Council, Executive or other Committees to reports of the Commission; and
- (h) consider any business specified in agenda for the meeting.

## **5.6.2A Extraordinary Meeting**

The order of business at an extraordinary meeting of a Commission shall be to:

- (a) elect a person to preside if the Chairman or Vice-Chairman are not present;
- (b) receive apologies for the inability to attend the meeting;
- (c) receive any declarations of interest from Members;
- (d) consider any business specified in the agenda for the meeting.

[Note: No petitions may be received at an Extraordinary Meeting.]

## **5.6.3A Variation**

With the exception of business specified in (a)-(d) of Rule 6.5.6.1A and (a)-(c) of Rule **5.6.2A** above, the order of business may be varied at the discretion of the Chairman.

## **5.7A Commission Minutes**

### **5.7.1A Approval**

The Chairman of the Commission shall move "that the Minutes of the meeting of the *Commission* held on (*date*) be signed as a correct record".

### **5.7.2A Accuracy**

Only the accuracy of the Minutes may be raised and an amendment put forward to propose a change of wording. As soon as any such amendment has been agreed, the Chairman will sign the Minutes.

[Note: Any amendments to the Minutes should be set out in the Minutes of the subsequent meeting and not marked on the original set of Minutes under discussion. However, if the Minutes are amended they should be annotated with the words "These Minutes have been amended".]

### **5.7.3A Signing Minutes**

Minutes shall be submitted to and signed by the Chairman at the next meeting of a Commission which is not an Extraordinary Meeting.

## **5.8A Motions**

### **5.8.1A Consideration of Motion**

At any meeting of the Commission, except an Extraordinary Meeting that does not appear in the timetable of meetings, a Notice of Motion may be submitted under this Rule for consideration.

## **5.8.2A Motions which may be Moved without Notice**

The following Motions may be moved without notice:

- To appoint a Chairman of the meeting if the Chairman and Vice-Chairman of the Commission are absent.
- Motions relating to:
  - (a) accuracy of Minutes;
  - (b) closure or adjournment of the meeting;
  - (c) order of or next business.
- To refer any matter to the Council or a Committee, or a Statutory Officer.
- To receive minutes and reports and adopt recommendations of Committees, Task Groups and officers and any consequential Motions.
- To withdraw a Motion or amendment with leave of the Chairman.
- To amend a Motion.
- To extend the time limit for speeches.
- To allow the continuation of a meeting past 10.00pm.
- To suspend a Procedure Rule in accordance with Rule 5.8.3A (Suspension of Rules of Procedure) below.
- To exclude the press and public in accordance with the statutory provisions.
- That a Member named under Rule 5.12.2A (Behaviour of Members) be not further heard or leave the meeting.
- To allow a member of the public to speak in accordance with paragraph 6.16.4 (Speaking).

[Note: Any Procedure Rule may be suspended in accordance with Procedure Rules 5.8.2A and 5.8.3A provided the effect either individually or cumulatively is not to suspend all Procedure Rules.]

## **5.8.3A Suspension of Rules of Procedure**

With the exception of Rules 5.7.3A (Signing Minutes) and 5.14.2A (Recording of Votes) any Procedure Rule may be suspended for any business at a meeting where its suspension is moved provided either:

- notice of Motion has been given; or
- at least one half of the whole number of Members of the Select Committee are present.

[Note: See Rule 5.8.2A above]

## **5.9A Procedure for Reports at Commission Meetings**

### **5.9.1A Consideration of Reports**

The Chairman of the respective Policy Development Commission or appropriate Officer shall present any report requiring the Committee's approval. Once the recommendation has been moved and accepted, the matter is open for debate, and Members of the Committee may make statements and ask questions as appropriate. The Rules of Debate set out in Rule 5.11.2A will apply.

## **5.10.A Petitions**

### **5.10.1A Scope of Petitions**

Petitions must relate to a Policy Development Commission's business or to matters of concern to the District of West Berkshire and fall within the terms of the body to which they are presented.

[Note:

1. Petitions may only be presented at one forum of the Council which will include petitions handed direct to the appropriate Council Officers.
2. Petitions requesting the Council to review a decision or policy in relation to a quasi-judicial matter (Licensing, etc.) shall not be presented to the Council, Executive, Overview and Scrutiny, Policy Development, Regulatory and other Committees and Area Forums until and unless the other means of appeal available to an appellant (Magistrates and County Court) have been activated.

The presentation of petitions is subject to the Procedure Rules covering the Six Month Rule (5.13.1A) and may not therefore be resubmitted to a Council forum unless the provisions of the Six Month Procedure Rule are met.]

### **5.10.2A Inspection of Petitions**

Petitions received by the Council will be available for public inspection during the Council's opening hours from the Policy and Performance Unit.

### **5.10.3A Notice of Petitions**

Where notice of a petition is given to the Head of Policy and Performance by 10.00am seven clear working days before the meeting details will be included in the agenda.

### **5.10.4A Presentation of Petitions by Members of Council**

Members of Council who receive a petition from a member of the public can either:

- (a) present it at the appropriate meeting; or



(b) pass it to the appropriate Officer.

Members of the Council may also present petitions directly to a Policy Development Commission or Sub-Committee and speak for up to five minutes on that petition. No further debate shall take place unless the relevant body receives a report on the matter.

The Chairman of a Policy Development Commission will advise the Member presenting the petition as to how the petition will be dealt with. However, if a petition relates to a matter on the agenda for the meeting of the Policy Development Commission at which it is presented it shall be dealt with at that meeting.

Petitions relating to planning applications will normally be received by Officers during the planning consultation process.

#### **5.10.5A Presentation of Petitions by Members of the Public**

Members of the public may either present petitions directly to an Officer, Policy Development Commission or Sub-Committee and speak for up to five minutes on that petition. No further debate shall take place unless the relevant body receives a report on the matter.

The petitioner will be advised either by the Chairman of the body where the petition was presented, or by the Head of Policy and Performance, within three clear working days, as to where the petition will be referred.

However, if the petition relates to a matter on the agenda for the meeting of the Policy Development Commission at which it is presented, it shall be dealt with at that meeting.

Petitions relating to planning applications will normally be received by Officers during the planning consultation process.

#### **5.10.6A Petitions Received Outside of the Council's Meetings**

Petitions received outside of the Council's meetings (i.e. presented to an Officer), should abide by the following procedure:

- The Officer receiving the petition will acknowledge the petition and send a copy to the appropriate Ward Member.
- If the petition has less than 10 signatures, then the matter will be dealt with by the appropriate Officer.
- If the petition has more than 10 signatures, then the Officer will complete a 'Petition Submission Form' and send a copy of the petition, the submission form and the acknowledgement letter to the Policy and Performance Unit. The submission form will identify to which decision-making body i.e. the Executive or Area Forum meeting the response will be tabled and on which date.

- The Policy and Performance Unit will record centrally the petition and, using the information provided on the submission form, will ensure that the item is included on the West Berkshire Council Forward Plan.
- The Policy and Performance Unit will invite the petitioner to attend the meeting at which their petition is timetabled. A copy of the appropriate agenda and report will be sent with the letter and a copy will be sent to the Ward Member(s).

## **5.11A Rules of Debate**

### **5.11.1A Seconding**

A Motion or amendment shall not be discussed until it has been formally moved and seconded.

### **5.11.2A Writing**

The Chairman of a Select Committee may require a Motion or amendment to be put into writing before it is discussed or voted upon.

### **5.11.3A Speech Content**

Members shall direct speeches to the matter under discussion, a point of order or personal explanation.

### **5.11.4A Speech Length**

The Chairman may terminate a speech by a Member if he/she considers that it is not contributing to the effective working of the meeting.

### **5.11.5A Amendments**

An amendment shall

- refer a subject of debate to Council, a Committee or Statutory Officer for consideration or reconsideration unless the Executive Leader rules otherwise in the interests of expedience; or
- leave out words; or
- leave out words and add others; or
- insert or add words
- not have the effect of introducing new subject matter or of negating the Motion before the Executive.

### **5.11.6A In-Depth Reviews**

In undertaking in-depth reviews, Policy Development Commissions shall be entitled to invite interested parties to attend their meetings. Unless otherwise agreed by the Chairman, persons attending Policy Development Commissions to provide evidence shall do so according to a pre-agreed timetable.

### **5.12.1A Behaviour of Members**

#### **5.12.2A Disorderly Conduct**

If, at a meeting of a Policy Development Commission, a Member:

- persistently disregards the ruling of the Chairman; or
- behaves irregularly, improperly or offensively; or
- wilfully obstructs the business of the Policy Development Commissions;

**any Member may move:**

- that the Member named not be heard any further;
- that the Member named shall leave the meeting; and
- if the Motion is seconded, it be put to the vote without discussion.

#### **5.12.3A Suspension of Sitting**

If there is a general disturbance or if the named Member continues to misbehave after a Motion under Rule 5.8.2A (Motions which may be Moved without Notice) has been carried and orderly business is prevented, the Chairman of the Select Committee may adjourn the meeting for as long as he/she considers necessary.

### **5.13A. Rescinding an Earlier Resolution**

#### **5.13.1A Six Months Rule**

A Policy Development Commission cannot move a Motion to rescind a decision made at a meeting of the Council within the preceding six months.

#### **5.13.2A Rejected Motion**

A Motion or amendment in similar terms to one that has been rejected at a meeting of the Council in the past six months cannot be moved.

#### **5.13.3A Commission Decision**

A Commission or Sub-Committee may, by a majority of those voting, rescind a decision that it has previously made.

## **5.14A Voting**

### **5.14.1A Method of Voting**

Voting shall be by show of hands.

### **5.14.2A Recording of Votes**

A record of how a vote is or votes are cast (as the case may be) will be made if:

- (a) before a vote is taken any Member requests that the vote be recorded and three other Members support that request by standing in their places. In these circumstances the Head of Policy and Performance or his/her representative will call the name of each Member present and each Member will respond for or against the Motion or abstaining;
- (b) immediately after a vote has been taken any Member requests that their vote for or against or their abstention be recorded.

### **5.14.3A Equality of Votes**

In the event of an equality of votes the Chairman shall have a second or casting vote.

## **5.15 Press and Public**

### **5.15.1 Admission**

The press and public shall be permitted to attend meetings of Policy Development Commissions unless excluded under provisions contained in Part 1 Schedule 12A of the Local Government Act 1989.

### **5.15.2 Exclusion of Employee**

During any discussion on the appointment, promotion, dismissal, salary, conditions of service or conduct of a Council employee, the employee shall not be present except to make representations on his/her own behalf either personally or by or with such representatives as the Council may agree to receive.

### **5.15.3 Removal**

If a member of the public interrupts the proceedings at any meeting the Chairman may, after warning, order their removal from a Policy Development

Commission meeting. If there is a general disturbance the Chairman shall order that the part of the room open to the public be cleared.

**5.15.4 Speaking**

Members of the public may only speak at a meeting if the Policy Development Commission so resolves.

**5.15.6 Co-optees – Access to Information Act**

Only voting co-optees on Policy Development Commissions shall be entitled to take part and vote on issues which are deemed to be either confidential or exempt in nature, as set out in Rule 5.1.5A

**5.15.7 Televising and Sound Recording of Meeting**

The televising and sound recording of meetings will be permitted in accordance with the protocol relating to this matter. The protocol can be found at Appendix A to Part 6.