

Guidance to Members re 'Points of Clarification' and Related Issues

Dear Councillors,

If you attended Full Council recently you will be aware that quite a few Councillors raised "points of clarification" during the debate. I'm sure we all want our Full Council meetings to run efficiently and properly. As such, I wanted to draw your attention to the differing routes and rules by which a Councillor may speak during Full Council.

What we often have is a Councillor standing, interrupting, calling out "point of clarification" and then proceeding with it with no assent of the Mayor.

There are actually four different routes by which a Councillor may interrupt, each with slightly different rules. I have pasted these below and have underlined certain aspects, as these are generally forgotten.

The Constitution states:

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

- (a) in exercise of a right of reply;
- (b) on a point of order;
- (c) by way of personal explanation;
- (d) by way of clarification; or
- (e) on a point of information.

13.7 Point of order (breach of council rules)

- A Member may raise a point of order at any time.
- The Mayor will hear this 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 rule or law and the way in which they consider it has been broken.
- The ruling of the Mayor on the matter will be final.

13.8 Personal explanation (when a member is referred to)

- A Member may seek to make a personal explanation at any time during the course of another Member's speech if he has been referred to by name or position, either immediately if the Member speaking gives way or at the end of the speech.
- A personal explanation may only relate to the statement made by the other Member in their speech.
- The ruling of the Mayor on the admissibility of a personal explanation and the time allowed for any personal explanation will be final.

13.9 Clarification (of a Member's own statement)

- A Member may seek leave from the Mayor to clarify a point made in an earlier speech by that Member if it appears from comments made in a subsequent speech that the earlier speech by the Member had been misunderstood.

- The ruling of the Mayor on the admissibility of a clarification and the time allowed for any clarification will be final.

13.10 Point of Information (a question to seek clarification on a factual statement by others)

- A Member may seek to make a point of information at any time but may not pursue it if the Member speaking declines to give way.
- It shall be a simple question to clarify factual statements made during the course of a speech.
- It may not be a long or rhetorical question or become a cross-examination of the speaker.
- The ruling of the Mayor on the admissibility of, and the time allowed for, any point of information will be final.

Councillors are generally required to press their “request to speak” button. I would emphasise that requirement please, although I am conscious that Councillors are generally raising a time-pertinent point. As such, I would invite you to press your “request to speak” button and to stand... BUT NOT TO SPEAK until invited to do so by the Mayor.

The Mayor is entitled to refuse to hear you unless you comply with the requirements above.

I think it's worth noting that neither I, nor the Mayor or the Chief Executive, wish to be overly officious during a Full Council meeting. I would much prefer not to say a thing during a Full Council meeting. The most important thing, to my mind, is to allow debate to proceed and for Councillors to represent the views of their constituents. As such, I wouldn't disqualify a proposed “point” if it was expressed to be a clarification when in reality it was a point of information or similar. But it must fall into one of the routes specified above and can't amount to a general disagreement with what is being said. The routes above are not meant to be used to disagree with another's speech nor to open up a new field of discussion.

I hope this is helpful.

Thanks,

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