

APPENDIX 3 – ‘CLEAN’ VERSION
INCORPORATING PROPOSED CHANGES

PART A – PROCEDURE RULES FOR MEETINGS OF THE FULL COUNCIL

INTRODUCTION

1. The County Council has four types of Full Council meetings:-
 - a. ordinary meetings – these meetings run throughout the year to carry out the business of the Council;
 - b. the annual meeting – usually held in May. In addition to the business of an ordinary meeting the annual meeting elects the Chairman and Vice-Chairman of the County Council who hold the posts until the annual meeting the following year;
 - c. the annual budget meeting – usually held in February to agree the Council’s budget for the following financial year. This meeting generally only considers the budget reports; and
 - d. extraordinary meetings – meetings arranged outside of the schedule of ordinary meetings.
2. These rules are designed to ensure meetings of the Full Council run smoothly and are conducted properly to enable sound decision-making in line with Wednesbury principles and to ensure that the business of the Council is undertaken effectively and efficiently.
3. Councillors are responsible for ensuring their behaviour reflects the Nolan Principles in relation to Standards in Public Life and that they comply with the Procedure Rules and the Code of Conduct for Councillors and Co-Opted Members at all times. Members are generally expected to be in attendance in their allocated seat for the duration of the meeting. During the meeting, the Chairman’s ruling on behaviour is final.
4. So far as the law allows, any of these rules may be suspended at any meeting of the Full Council, either for the whole meeting or for a particular item on the agenda. In order to achieve this, a motion must be moved and seconded and a vote carried.
5. If any issues arise at a meeting in relation to interpretation of the procedure rules, the Chairman’s decision will be final.
6. For the annual budget meeting some procedure rules will be suspended and alternative rules applied. See paragraph 103 below.

ARRANGEMENTS FOR MEETINGS

7. Meetings of the Full Council, including the budget meeting, will not continue beyond 5.30 pm. If the meeting is not likely to conclude before that time the matter under debate at 5.15pm will be moved to the vote to allow the meeting to conclude by 5.30pm. Any remaining business will be held over to the next available meeting and will be the first item in the relevant section of the agenda.

8. Details of arrangements for an extraordinary meeting are set out in paragraphs 105 - 107.

MINIMUM ATTENDANCE (QUORUM)

9. At least one quarter (17) of the whole number of elected County Councillors must be present for the meeting to proceed or continue.
10. If the Chairman or the Chief Executive concludes that an insufficient number of Councillors is present the meeting will not proceed. The Division Bell will be sounded, and if after more than five minutes there is still an insufficient number present at the meeting it will be adjourned to a time fixed by the Chairman.

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ORDER OF BUSINESS

11. Except for the annual budget meeting and an extraordinary meeting the order of business will usually be:

Business at the annual meeting only (60 minutes)

- a. Election of Chairman
- b. Election of Vice-Chairman

Statutory formalities/Announcements (15 minutes)

- c. the choice of a person to preside if the Chairman and Vice-Chairman are absent
- d. any business having priority by law
- e. confirmation of the minutes of the last meeting of the Full Council
- f. apologies for absence, including reasons
- g. declarations of interest
- h. Chairman of the County Council's business

Constituency matters (30 minutes)

- i. constituency issues (15 minutes)
- j. petitions (15 minutes)

Business reports (60 minutes)

- k. reports for decision by the Full Council

Question time (60 minutes)

- l. questions to Nottinghamshire and City of Nottingham Fire Authority and responses
- m. questions to Committee Chairmen and responses

Motions for debate

- n. consideration of motions

OTHER POINTS REGARDING THE ORDER OF BUSINESS

12. At any time during the meeting the Chairman can adjourn the meeting.

13. The Chairman will manage the agenda to enable the meeting to keep to time and has discretion to extend the time limit of a particular section of the agenda within the overall time limit of the meeting.

14. The order of business can be varied at the discretion of the Chairman.

15. Lunch will normally be taken at 12.30pm.

ABSENCES AND APOLOGIES

16. If a Councillor submits an apology for absence for the meeting, any questions or constituency issues they have submitted or motions they have proposed or seconded will have deemed to have fallen at the point the apology is given.

17. Apologies for absence will be categorised under the following headings:-

- Other County Council Business
- Medical / Illness
- Other reasons

18. If a Councillor is not in the Chamber at the point on the agenda that any question or constituency issue they would present would be considered the matter will be deemed to have fallen. Both the mover and seconder must be in the Chamber to propose a motion otherwise it will be deemed to have fallen.

19. The minutes of the meeting may record any Councillor's absence from the Chamber of more than 10 minutes during a Full Council meeting.

DECLARATIONS OF INTEREST

20. Where any Councillor has an interest in any matter to be discussed or decided, they will, in accordance with the Code of Conduct for Councillors and Co-opted Members, declare the existence and nature of that interest and whether the interest is a Disclosable Pecuniary Interest. Any declaration of interest will be recorded in the minutes of the meeting.

21. Where any Councillor has declared a Disclosable Pecuniary Interest in any matter, they will leave the room in which the meeting is being held while the matter is under consideration unless:

- a. The Chief Executive has granted them a dispensation; or
- b. the matter is only under consideration by the meeting as part of a report of the Minutes of Council, a committee or sub-committee and is not itself the subject of debate.

22. Any person or officer of the authority who is appointed to do anything in connection with the County Council which enables them to speak at meetings, will make the same disclosures of interests and will withdraw from the room in which the meeting

is being held on the same occasions as they would have to do if they were a County Councillor.

CONSTITUENCY ISSUES

23. At any Full Council meeting except the annual budget meeting and an extraordinary meeting, Councillors will be given an opportunity to speak for up to three minutes on any issue which specifically relates to their division and is relevant to the services provided by the County Council. If the matter raised does not meet these criteria the Chairman will instruct the Councillor to stop speaking.
24. Such a speech will not give rise to a debate on the issue or a question and answer session.
25. If any Councillor wishes to make a three minute speech the Governance Team in Democratic Services must be notified by 10am three working days before the Full Council meeting. The notification must confirm who will be making the speech and which council service it relates to, to enable its validity to be determined in advance of the meeting.
26. A maximum of 15 minutes is allowed for this item. The speeches will be taken in the order received. Any speeches not heard within the time limit will fall and can be submitted again at the next meeting which allows constituency issues.

PETITIONS

27. In accordance with the Council's Petitions Scheme, at any Full Council meeting except for the annual budget meeting and an extraordinary meeting, any Councillor may present a petition to the Chairman of the Council on any matter affecting the residents of their division, and in relation to which the County Council has powers or duties.
28. If any Councillor wishes to submit a petition the Governance Team in Democratic Services must be notified by 10 am the day before the meeting, giving details about the petition.
29. In exceptional circumstances, if a petition is not properly notified in advance, the Chairman has discretion to allow the petition to be submitted at the meeting.
30. The Councillor presenting the petition can introduce and speak about the petition for up to one minute.
31. If a Councillor is unable to be at the meeting, they may request and agree to another Councillor presenting a petition on their behalf.
32. If a petition relates to more than one division the petition can be presented jointly if the relevant Councillors agree. If agreement cannot be reached the petition will be presented by the Council's Vice-Chairman.

33. Different procedures apply to some petitions as set out in the Council's petition scheme.
34. A maximum of 15 minutes is allowed for this item. Petitions will be taken in the order received. Any petitions not presented in the time limit will be accepted by the Chairman en bloc and referred to the appropriate committee for consideration.
35. Any petition presented will be referred without debate to the appropriate committee for consideration. A report back to Council on the outcome of that consideration will be made at its next meeting.

CONSIDERATION OF REPORTS FOR DECISION BY COUNCIL

36. Reports are introduced by the relevant committee chairman.
37. The report recommendation is then 'moved' by one Councillor and 'seconded' by another Councillor. It then becomes a 'motion' for debate and the rules of debate apply. The motion is then debated before a vote is taken. Where a report contains more than one recommendation they will be moved as a single motion for debate.
38. Statutory officer reports will be moved by the Chairman of the County Council and seconded by the Vice-Chairman of the County Council.

QUESTIONS TO COMMITTEE CHAIRMEN

39. At any meeting of the Full Council, except the annual budget meeting and an extraordinary meeting, a Councillor may ask any committee chairman one or more questions on matters within the remit of their committee.
40. Questions must:-
- a. disclose a question;
 - b. be limited to matters which fall within the remit of the relevant Committee;
 - c. be a matter for which the local authority has a responsibility or which affects the County;
 - d. not be defamatory, frivolous or offensive;
 - e. not be substantially the same as a question or motion which is under consideration or has, in the past six months, been put at a meeting of the Council or a committee;
 - f. not relate to a planning application or any other quasi-judicial matter; and
 - g. not require disclosure of confidential or exempt information.

41. The Monitoring Officer will rule a question invalid and give reasons, if a submitted question does not comply with the provisions in paragraph 40.
42. A maximum of 45 minutes is allowed for questions to Committee Chairmen after which any remaining questions will receive a written answer within 15 working days of the meeting and the answer given will be included for information with the papers for the next convenient Full Council meeting. The Committee Chairman may elect for the answer to the question to be given by his or her Vice Chairman or another Committee Chairman if in the opinion of the Committee Chairman this is more appropriate.
43. At any meeting of the Full Council, except the annual budget meeting and an extraordinary meeting, a Councillor may ask the Chairman of Nottinghamshire and City of Nottingham Fire Authority one or more questions on matters within the remit of their authority. A maximum of 15 minutes is allowed for these questions after which any remaining questions will receive a written answer within 15 working days of the date of the meeting and the answer given will be included for information with the papers for the next convenient Full Council meeting.
44. If any Councillor wishes to submit a question under the Procedure Rules a copy of their question(s) must be posted in the box in Democratic Services or emailed to council.questions@nottsc.gov.uk no later than 10 am three working days before the meeting. The question must make it clear who the question is addressed to and who is asking it.
45. A submitted question cannot be altered after the deadline.
46. The order in which questions are put at the meeting will be determined by the Chairman.
47. After receiving an answer from the relevant chairman, or their nominee, the Councillor asking the original question may ask one supplementary question on the same matter.
48. The same supplementary question procedures apply to questions to the Chairman of the Fire Authority.
49. Any questions for Council which are withdrawn at the meeting or which fall because the member asking the question is not present in the Chamber at Council question time will receive a written reply within 15 working days of the meeting and the answer given will be included for information with the papers for the next convenient Full Council meeting.

QUESTIONS REQUIRING A WRITTEN RESPONSE

50. Any Councillor may at any time, by writing to Democratic Services, put a question to a committee chairman and will be sent a reply within 15 working days. Every such question and the answer given will be included for information with papers for the next convenient Full Council meeting.

CONSIDERATION OF INDIVIDUAL MOTIONS TABLED BY COUNCILLORS IN ADVANCE OF MEETINGS

51. Councillors may raise an issue at Full Council meetings except the annual budget meeting by submitting a motion. The procedure for submitting a motion for debate is as follows:

- a. The motion must be proposed and seconded.
- b. Notice must be given no later than 10 am six clear working days before the Full Council meeting by one of the following methods:
 - i. Submitting an original signed by both the proposer and seconder to the Governance Team, Democratic Services
 - ii. Submitting a scanned copy of the signed original, or a motion with electronic signatures of the proposer and seconder, by email to council.questions@nottsc.gov.uk
- c. Motions will be included in the agenda for the meeting in the order of receipt.

52. An invalid motion cannot be altered after the deadline to make it valid.

53. Both the mover and seconder must be in the Chamber to move or second their motion, if they are not present the motion is deemed to have fallen.

54. The Chairman will manage the business to enable appropriate debate within the time limit of the meeting. If a motion is not debated due to a lack of time the motion will be carried forward to the next ordinary (or annual) meeting.

Scope of motions on notice

55. Valid motions must:-

- a. be asking the Council to make a decision which is lawful;
- b. be about matters for which the Council has a responsibility or which affects directly or indirectly residents or businesses of the County and the Council has the power to implement;
- c. not be defamatory, frivolous or offensive;
- d. not be substantially the same as a motion which has, in the past six months, been put at a meeting of the Full Council, or reverse a decision taken by the Council in the past six months;
- e. not relate to a planning application or any other quasi-judicial matter;
- f. not require disclosure of confidential or exempt information; and

- g. include appropriate and sufficient information to enable Councillors to make a lawful decision for example legal, financial, statutory or policy implications.

56. The Monitoring Officer will reject a proposed motion as invalid, giving reasons if it does not comply with the provisions in paragraph 55.

THE RULES OF DEBATE

- 57. Any motion (including recommendations within reports) must be moved and seconded before the debate can be opened. The mover and seconder of the motion may speak for a maximum of 10 minutes when moving the motion. It is not necessary to read the motion in full when moving the motion, provided the motion has been provided in writing to Full Council.
- 58. If a Councillor wishes to speak they should indicate their intention by raising their hand.
- 59. The Chairman will decide the order in which speakers will be heard. Any Councillor who wishes to speak will be given the opportunity to do so unless any of the exceptions contained in these rules of debate apply.
- 60. Councillors can speak for a maximum of 5 minutes each time they are entitled to speak during a debate subject to paragraph 57 and the exception at the Annual Budget meeting.
- 61. Councillors will stand when speaking and must address the Chairman. Other Councillors will be respectful of and not interrupt the Councillor who is speaking.
- 62. Councillors must speak strictly to the subject under discussion.
- 63. Councillors may speak once on any motion and once on each amendment.
- 64. If the motion has been amended since a Councillor last spoke, that Councillor may move a further amendment to the motion.
- 65. Whenever the Chairman stands during a debate any Councillor standing must sit down and the Full Council must be silent.
- 66. Any Councillor may at any time during a meeting request that the meeting be adjourned for a short period. The Chairman of the meeting has discretion to decide whether to agree the request and, if agreed, to determine the length of any such adjournment
- 67. The Councillor who moved the original motion has a right of reply at the close of the debate on that motion including where it has been amended during the debate.

68. At the end of a debate on an amendment to a motion, the mover of the amendment has a right to make closing remarks before the Councillor who moved the original motion exercises their right of reply.

ALTERATIONS AND AMENDMENTS TO RECOMMENDATIONS AND MOTIONS

69. An alteration is where the motion is changed by or with the agreement of the mover and the seconder of the motion. This can include where a proposal by another member to make a change to a motion is accepted by the mover of the motion which then alters the proposed motion without the need for a vote on the proposed change.

70. An amendment is a proposal by another member to change a motion being debated which is not accepted by the mover of the original motion.

71. An alteration must be submitted in writing to the Chairman. An alteration can only be made if it would be accepted as a valid amendment. Alterations can be accepted:-

- a. when the mover changes the motion whilst moving it
- b. during the debate to update the motion to maintain accuracy
- c. if the mover accepts a proposed amendment
- d. to make the motion more acceptable to Councillors.

72. Amendments to a motion can be moved or seconded by any Councillor and must be submitted to the Chairman in writing, following the process set out in paragraph 78 below in the following situations:

- a. to refer a subject of debate to a committee for further consideration
- b. to leave out words, to add words or both. However such changes must not have the effect of fundamentally altering the spirit or intention of, or directly reversing the spirit or intention of, the original proposal (for example to recommend approval instead of refusal), must comply with the provisions set out in paragraph 55 and must be relevant to the original motion.

73. The Monitoring Officer may reject a proposed amendment as invalid if it does not comply with the provisions set out in paragraph 55. The Chairman may adjourn the meeting to seek appropriate advice to confirm validity of the amendment.

74. If an amendment is accepted by the mover of the original motion no debate or vote will be required and it will become an alteration to the motion and will become the altered (substantive) motion.

75. Only one amendment may be moved and discussed at one time. No further amendment may be moved until the amendment under discussion has been voted on, subject to the exceptions set out in the Annual Budget Meeting Rules at paragraph 104.

76. If an amendment is not accepted by the mover of the original motion, the following procedure will apply:-

- a. the amendment will be debated
- b. a vote will then be taken on whether the amendment should become the amended (substantive) motion
- c. debate will continue and further amendments may be moved
- d. after all amendments have been dealt with using the procedure stated above then a vote will be taken on the final substantive motion

MOTIONS NOT REQUIRING PRIOR WRITTEN NOTICE

77. Motions can be moved and seconded orally at meetings including a reason for proposing the motion, to ensure meetings run smoothly and are conducted properly. The following are examples of such motions:

- a. appointment of a chairman for the meeting in the absence of the Chairman and Vice-Chairman
- b. request to withdraw a motion
- c. that the matter be put to a vote (this can only be moved by a Councillor who has not yet spoken on the debate as set out in paragraph 79)
- d. that the meeting be adjourned
- e. variation of the order of business
- f. suspension of a specific procedure rule (giving the procedure rule number to be suspended and the reason)
- g. exclusion of the public
- h. that a named Councillor should not be heard further

78. Amendments to motions may be moved and seconded without notice but must be provided in writing to the Chairman when being moved.

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BRINGING DEBATE TO EARLY CLOSURE

79. A Councillor who has not already spoken on the matter may orally move a motion that a vote should be taken immediately. This must be seconded.

80. If the Chairman feels there has been sufficient discussion of the issue he may put the oral motion to the vote.

81. If the vote is carried the motion or amendment will be put to the vote following closing remarks by the proposer of the motion or amendment.

POINTS OF ORDER AND PERSONAL EXPLANATIONS

82. With the consent of the Chairman any Councillor may make a brief comment, ask a question designed to clarify a matter which has been raised, or indicate where they feel the procedure rules have not been followed. They may not introduce new material or make a speech on the issue raised.
83. The Chairman of the County Council's ruling will be final and they may limit such exchanges to maintain the flow of debate.

VOTING

84. Votes in Full Council are to be determined by a show of hands.
85. When a vote is being called Councillors must remain seated and quiet, clearly hold their hand up to cast their vote and keep it up until the Chairman tells Councillors the vote has concluded.
86. Where there is an equal number of votes for and against a motion the Chairman can exercise a second (casting) vote.
87. A recorded vote will be taken if 10 or more Councillors request it by a show of hands and where required under the Annual Budget meeting rules in paragraph 104 below. The process will be as follows:
- a. The Chief Executive will then call the names of all Councillors and record the vote of each Councillor.
 - b. The Chairman will announce the result.
 - c. The minutes will record how each Councillor voted.
88. Whilst the recorded vote is being taken, Councillors must remain seated and quiet in the Chamber and, when called by the Chief Executive, use the microphone provided to give their vote.
89. Any Councillor can require that the minutes of the meeting record how they voted on any decision taken.

REVERSING DECISIONS

90. Council decisions are final and should normally not be altered or amended for 6 months. However, where a decision proves to be unworkable for whatever reason a further report on the issue will be brought back to Full Council for further consideration on a request from the Council's Chairman and Vice Chairman.

DISORDERLY CONDUCT

91. Councillors are expected to act in a reasonable and professional manner at Full Council, in accordance with the Code of Conduct for Councillors and Co-opted Members. Councillors should not misbehave by persistently disregarding the Chairman's ruling, or by behaving improperly or offensively, including by using offensive language or making personal remarks about individuals, or by obstructing the business of the Full Council.
92. If, at any meeting, any Councillor in the opinion of the Chairman of the County Council is in breach of paragraph 91 the Chairman may warn the Councillor about their behaviour.
93. If following any warning a Councillor continues to breach paragraph 91 the Chairman may move "that [the Councillor named] should not be further heard" and, if seconded, a vote will be taken without discussion.
94. If any Councillor continues the misconduct after a "should not be further heard" vote has been carried, the Chairman:
 - a. may request the Councillor to leave the meeting; or
 - b. may adjourn the meeting of the Full Council for any period considered necessary
95. In the event of a general disturbance which in the opinion of the Chairman makes business impossible, the Chairman, may adjourn the meeting for any period considered necessary and/or order that the public or a specific individual/s leave. "General disturbance" may include any action or activity by the public which disrupts the conduct of the meeting or impedes other members of the public including in connection with the recording or reporting of the meeting.

ESTABLISHMENT OF COMMITTEES

96. Every committee set up by the Full Council will perform the functions given to them until the Full Council resolves otherwise. Full Council can revise the functions of committees at any time.

APPOINTMENTS TO COMMITTEES

97. Every person appointed to be a member of a committee or sub-committee will remain a member of that committee until the first of the following events:
 - a. they cease to be a Councillor
 - b. their resignation
 - c. changes to political balance necessitate changes to committee membership
 - d. removal by the Proper Officer at the request of their group

98. The Full Council is required to keep the allocation of seats to groups under review.
99. Whenever allocation of seats is considered by the Full Council the Chief Executive will submit a report showing what the allocation of seats should be in order to ensure committees reflect the overall political balance of the Council.
100. Democratic Services will ensure that all appointments to committees are reported to the next meeting of the appropriate committee.
101. Any changes in membership must be notified to the Governance Team in Democratic Services no later than 4 pm the working day before the relevant meeting. Substitution rules are set out in the Procedure Rules for Committee and Sub-Committee Meetings.

ANNUAL MEETING

102. Subject to any statutory requirements, the Full Council at its annual meeting:
- a. Will elect the Chairman and Vice-Chairman of the County Council for the forthcoming year.
 - b. Will resolve what committees and sub-committees will be established, the terms of reference and size of these committees and may appoint the chairman and vice-chairman of each committee.
 - c. Will note the membership of each group and their agreed officers.

ANNUAL BUDGET MEETING

103. The order of business for the annual budget meeting will usually be:
- a. the choice of a person to preside if the Chairman and Vice-Chairman are absent
 - b. any business having priority by law
 - c. confirmation of the minutes of the last meeting of the Full Council
 - d. apologies for absence, including reasons
 - e. declarations of interest
 - f. Chairman of the County Council's business
 - g. reports for decision by the Full Council
104. To ensure the smooth flow of business the following provisions will operate for the Annual Budget meeting budget report:

- a. After the budget proposals have been moved and seconded any budget amendments will be moved and seconded. The seconders of the amendments may either speak to them when seconding or may reserve their speech for later in the debate.
- b. With the exceptions below, no Councillor will speak more than once or for more than 20 minutes:
 - the Councillor who moves the budget proposals is not subject to a time limit and is entitled to speak twice; once when moving proposals and once when replying to the debate
 - the movers of any amendments may speak for an unlimited time when moving those amendments and for 20 minutes when summing up
- c. There will be a single debate on the motion and any amendments
- d. At the conclusion of the winding-up speeches, recorded votes will be taken on amendments in the order determined by the Chairman then a recorded vote will be taken on the substantive motion. The process for recorded votes is set out in paragraph 70 above.

EXTRAORDINARY MEETINGS

105. An extraordinary meeting may be arranged if the Chairman of the Council, the Council Leader, or any five County Councillors request such a meeting. An extraordinary meeting can be held on any day of the week.
106. The only business permitted at an extraordinary meeting is that which the meeting has been called to consider.
107. The order of business for an extraordinary meeting will usually be:
 - a. the choice of a person to preside if the Chairman and Vice-Chairman are absent
 - b. apologies for absence, including reasons
 - c. declarations of interest
 - d. the matters set out in the request to hold an extraordinary meeting

OTHER

108. Placards, banners, advertising materials and similar items are not permitted in any Council meeting and must be covered or removed. Failure to comply may result in the member of the public being asked to leave the Chamber.

109. Members of the public should remain seated in the public gallery during any debate and not do anything to endanger the health and safety of any person.
110. Members of the public may record proceedings and report all public meetings. Any person recording the meeting must not disrupt the good order of the meeting.
111. Mobile phones and other electronic devices must be switched to silent.

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