

SUMMONS TO COUNCIL

date Thursday, 19 December 2019 venue County Hall, West Bridgford,
commencing at 10:30 Nottingham

You are hereby requested to attend the above Meeting to be held at the time/place and on the date mentioned above for the purpose of transacting the business on the Agenda as under.



Chief Executive

- | | | |
|----|--|---------|
| 1 | Minutes of the last meeting held on 10 October 2019 | 7 - 30 |
| 2 | Apologies for Absence | |
| 3 | Declarations of Interests by Members and Officers:- (see note below) | |
| | (a) Disclosable Pecuniary Interests | |
| | (b) Private Interests (pecuniary and non-pecuniary) | |
| 4 | Chairman's Business | |
| | a) Presentation of Awards/Certificates (if any) | |
| 5 | Constituency Issues (see note 4) | |
| 6a | Presentation of Petitions (if any) (see note 5 below) | |
| 6b | Response to Petition Presented to the Chairman of the County Council | 31 - 34 |

7	Treasury Management Mid-Year Report 2019-20	35 - 42
8	Review of Council Constitution - Council and Committee Procedure Rules	43 - 76
9	Questions	
	a) Questions to Nottinghamshire and City of Nottingham Fire Authority	
	b) Questions to Committee Chairmen	
10	NOTICE OF MOTIONS	

MOTION ONE

This Council believes that a disability or health condition should not dictate the path a person is able to take in life and especially in the workplace. There is overwhelming evidence that good quality employment is essential for a person's health and wellbeing, providing them not only with an income but also with status, purpose and positive relationships with others.

We recognise, however, that for some people with a disability or health condition there are still barriers inside and outside the workplace that can make it difficult to gain or retain employment. We know that there are people within this County experiencing worklessness because of mental health problems and long-term conditions, and that this is a particular difficulty for those in some of our more deprived areas, and vulnerable groups such as care leavers.

In 2016 the Government published and consulted upon its 'Work, Health and Disability' green paper. It then responded to the outcomes of that consultation in 2017 by publishing an updated paper, 'Improving Lives: the Future of Work, Health and Disability', with a stated aim to *'transform employment prospects for disabled people and those with long term health conditions over the next 10 years'*.

The focus on Brexit over the past two years slowed progress on this and other domestic policy matters, but in June 2019 new measures were announced to tackle the barriers faced by disabled people.

In light of these developments this Council will consider what more it can do to transform employment prospects for people with disabilities and health conditions in Nottinghamshire. We

recognise the good work already being carried out by officers, for example in our i-Work team, to open pathways for people to obtain quality, rewarding, lasting employment.

We commit to investigate what further proactive, cost-effective measures can be taken across all areas of our work to encourage a local mind-set focused on what people can do, rather than what they cannot. This will be a wide-ranging, ongoing project anchored with the Policy Committee but will also see our individual service committees apply this principle in the areas of work most relevant to their remit.

**Councillor Kay Cutts MBE
Vickers**

Councillor Steve

MOTION TWO

This Council shares the public's concern about the negative health and environmental impact of drivers leaving their engines idling when they have stopped or parked on our highways for an extended period of time. This is particularly unacceptable when it happens outside schools, subjecting children to an increased risk of breathing in toxic fumes that can cause short-term respiratory problems and longer-term damage to health.

We recognise that discussions are ongoing at national government level about strengthening current laws and penalties to tackle engine idling, and we are determined to do what we can within this Council's remit to reduce this threat, especially to the health of our young people.

This Council therefore requests the Children and Young People's Committee to oversee the design and implementation of a '*No Idling Schools Toolkit*' pilot scheme. We will initially seek to recruit a small group of Nottinghamshire schools willing to test this toolkit with parents and children and feed back to us on the results. The Council would provide the necessary support to promote the pilot and measure its success. The outcomes will be reported to Policy Committee, which will then determine whether this toolkit should be offered to other schools across the county.

This Council also requests the Communities and Place Review and Development Committee to investigate the issue of engine idling and recommend to Policy Committee what, if any, other practical and cost-effective measures could be taken to reduce such incidents.

Councillor Neil Clarke MBE

Councillor Philip Owen

11 ADJOURNMENT DEBATE

(if any)

Notes:-

(A) For Councillors

(1) Members will be informed of the date of their Group meeting for Council by their Group Researcher.

(2) The Chairman has agreed that the Council will adjourn for lunch at their discretion.

(3) (a) Persons making a declaration of interest should have regard to the Code of Conduct and the Procedure Rules for Meetings of the Full Council. Those declaring must indicate whether their interest is a disclosable pecuniary interest or a private interest and the reasons for the declaration.

(b) Any member or officer who declares a disclosable pecuniary interest in an item must withdraw from the meeting during discussion and voting upon it, unless a dispensation has been granted. Members or officers requiring clarification on whether to make a declaration of interest are invited to contact the Monitoring Officer or Democratic Services prior to the meeting.

(c) Declarations of interest will be recorded and included in the minutes of this meeting and it is therefore important that clear details are given by members and others in turn, to enable Democratic Services to record accurate information.

(4) At any Full Council meeting except the annual meeting, a special meeting and the budget meeting, Members are given an opportunity to speak for up to three minutes on any issues which specifically relates to their division and is relevant to the services provided by the County Council. These speeches must relate specifically to the area the Member represents and should not be of a general nature. They are constituency speeches and therefore must relate to constituency issues only. This is an opportunity simply to air these issues in a Council meeting. It will not give rise to a debate on the issues or a question or answer session. There is a maximum time limit of 30 minutes for this item.

(5) Members are reminded that petitions can be presented from their seat with a 1 minute time limit set on introducing the petition.

(6) Members are reminded that these papers may be recycled. Appropriate containers are located in the respective

secretariats.

(7) Commonly used points of order

36 - Supplementary Questions must be on the same matter

50 - The Member has spoken for more than 10 minutes

52 - The Member is not speaking to the subject under discussion

55 - The Member has already spoken on the motion

60 - Points of Order and Personal Explanations

79 - Disorderly conduct

(8) Time limit of speeches

Motions

50 - no longer than 10 minutes (subject to any exceptions set out in the Constitution)

Constituency Issues

24 - up to 30 minutes allowed

Petitions

27 - up to one minute allowed

Questions to Committee Chairmen

32 - up to 60 minutes allowed

Adjournment Debates

74 - Mover has up to 5 minutes

75 - any other Councillor has up to 3 minutes

76 - relevant Committee Chairman has up to 5 minutes to reply

(B) For Members of the Public

(1) Members of the public wishing to inspect "Background Papers" referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:

Customer Services Centre 0300 500 80 80

(2) The papers enclosed with this agenda are available in large print if required. Copies can be requested by contacting the Customer Services Centre on 0300 500 80 80. Certain documents (for example appendices and plans to reports) may not be available electronically. Hard copies can be requested from the above contact.

(3) This agenda and its associated reports are available to view online via an online calendar -

<http://www.nottinghamshire.gov.uk/dms/Meetings.aspx>



Nottinghamshire County Council

Meeting COUNTY COUNCIL

Date Thursday, 10 October 2019 (10.30 am – 4.32 pm)

Membership

Persons absent are marked with 'A'

COUNCILLORS

Kevin Rostance (Chairman)
Stuart Wallace (Vice-Chairman)

	Reg Adair		Eric Kerry
	Pauline Allan		John Knight
	Chris Barnfather		Bruce Laughton
	Joyce Bosnjak		John Longdon
	Ben Bradley	A	Rachel Madden
	Nicki Brooks		David Martin
	Andrew Brown		Diana Meale
	Richard Butler		John Ogle
A	Steve Carr		Philip Owen
	John Clarke		Michael Payne
	Neil Clarke MBE		John Peck JP
	John Cottey		Sheila Place
	Jim Creamer		Liz Plant
	Mrs Kay Cutts MBE		Mike Pringle
	Samantha Deakin		Francis Purdue-Horan
	Maureen Dobson		Mike Quigley MBE
	Dr John Doddy		Alan Rhodes
	Boyd Elliott		Phil Rostance
	Sybil Fielding		Mrs Sue Saddington
	Kate Foale		Andy Sissons
	Stephen Garner		Helen-Ann Smith
	Glynn Gilfoyle		Tracey Taylor
	Keith Girling		Parry Tsimbiridis
	Kevin Greaves		Steve Vickers
	John Handley		Keith Walker
	Tony Harper		Muriel Weisz
	Errol Henry JP		Andy Wetton
	Paul Henshaw		Gordon Wheeler
	Tom Hollis		Jonathan Wheeler
	Vaughan Hopewell		Yvonne Woodhead
	Richard Jackson	A	Martin Wright
	Roger Jackson		Jason Zadrozny

OFFICERS IN ATTENDANCE

Anthony May	(Chief Executive)
Melanie Brooks	(Adult Social Care and Health)
Jonathan Gribbin	(Adult Social Care and Health)
Sara Allmond	(Chief Executives)
Sarah Ashton	(Chief Executives)
Luke Barratt	(Chief Executives)
Carl Bilbey	(Chief Executives)
Rob Davies	(Chief Executives)
Angie Dilley	(Chief Executives)
David Hennigan	(Chief Executives)
Marjorie Toward	(Chief Executives)
Nigel Stevenson	(Chief Executives)
James Silverward	(Chief Executives)
Adrian Smith	(Place)

CHAIRMAN

Vice-Chairman Councillor Stuart Wallace would chair the meeting until Chairman Kevin Rostance arrived.

OPENING PRAYER

Upon the Council convening, prayers were led by the Chairman's Chaplain.

MINUTE SILENCE

A minute silence was held in memory of former County Councillor Colin Bromfield. The Chairman, Councillor Alan Rhodes, Councillors Mrs Kay Cutts MBE, Councillor Parry Tsimbiridis, Councillor Glynn Gilfoyle and Councillor John Cottee spoke in memory of former County Councillor Colin Bromfield.

1. MINUTES

RESOLVED: 2019/027

That the minutes of the last meeting of the County Council held on 24 July 2019 be agreed as a true record and signed by the Chairman with the following alterations:-

- Correct the Chairman and Vice-Chairman and include Councillor Saddington as a member of the Full Council on page one; and
- Change "she" to "he" in Chairman's Business on page three.

2. APOLOGIES FOR ABSENCE

The following apology was submitted:-

- Councillor Martin Wright – other reasons

Councillors Rachel Madden and Kevin Rostance submitted apologies that they would be arriving late to the meeting. Councillor Madden did not attend the meeting.

3. DECLARATIONS OF INTEREST

None

4. BUSINESS CARRIED OVER FROM THE PREVIOUS MEETING

Motion Three from 11th July 2019 meeting

A Motion as set out below was moved by Councillor Alan Rhodes and seconded by Councillor Kate Foale:

“On 10th June 2019, the BBC informed viewers that free TV licences for over 75’s will be scrapped for those not on pension credit.

This council recognises that this action will have a significant detrimental impact to some of our most vulnerable elderly residents across Nottinghamshire.

This council resolves to write to the Secretary of State for Digital, Culture, Media and Sport to ask him to consider the consequences of these actions and to request that they reconsider the 2015 decision to no longer fund TV licences for over 75’s.

This council further resolves to write to the BBC to request that they too reconsider their recent decision.”

An amendment to the Motion as set out below was moved by Councillor John Cottee and seconded by Councillor Phil Rostance:-

“On 10th June 2019, the BBC informed viewers that free TV licences for over 75’s will be scrapped for those not on pension credit.

This ~~e~~Council recognises that this action will have a significant detrimental impact ~~on~~to some of our most vulnerable elderly residents across Nottinghamshire.

This ~~e~~Council resolves to write ~~through the Council Leader~~to the Secretary of State for Digital, Culture, Media and Sport to ask him to consider the consequences of these actions and to request that they reconsider the 2015 decision to no longer fund TV licences for over 75’s.

This council further resolves to write to the BBC **Board Chairman and Director General** to request that they too **seriously** reconsider their recent decision **in view of the advice given by the Prime Minister that the BBC should “cough up” to keep over 75s’ TV licences free.**”

The amendment was accepted by the mover of the motion.

The motion as amended was put to the meeting and after a show of hands the Chairman declared it was carried and it was:-

RESOLVED: 2019/028

On 10th June 2019, the BBC informed viewers that free TV licences for over 75's will be scrapped for those not on pension credit.

This Council recognises that this action will have a significant detrimental impact on some of our most vulnerable elderly residents across Nottinghamshire.

This Council resolves to write through the Council Leader to the BBC Board Chairman and Director General to request that they seriously reconsider their recent decision in view of the advice given by the Prime Minister that the BBC should "cough up" to keep over 75s' TV licences free.

Motion Four from 11th July 2019 meeting

A Motion as set out below was moved by Councillor Jason Zadrozny and seconded by Councillor David Martin:

"This Council notes the crisis in Social Care and further notes the multiple delays to the green paper on Adult Social Care. The green paper was first promised in the March 2017 budget as a route to a more secure and sustainable system – it has now been delayed numerous times – Ministers citing 'Brexit' as the main reason.

The green paper aimed to confront two issues: chronic underfunding of the existing means-tested care system caused by the huge cuts in government funding to councils since 2010 and the urgent need to protect self-funding people outside the current system from catastrophic care costs.

This Council further notes:

- (1) The proportion of the council's budget spent on Adult Social Care in 2019/20 is 35p in every £1 of Council expenditure. This amounts to £356 million pounds this financial year. This is £11.9 million more than this County Council expected to raise in Council Tax this year. This is unsustainable.
- (2) The Association of Directors of Adult Social Services recent statement that social care in England was adrift in a "sea of inertia" caused by years of budget cuts and that "The system is not only failing financially, it is failing people."
- (3) That this is causing significant pressure on the finances of Nottinghamshire County Council - becoming this Council's single biggest expenditure.
- (4) The importance of a reformed funding system to give Councils like Nottinghamshire the financial certainty to address the underlying problems.

- (5) That delays to the green paper make it impossible for Councils like Nottinghamshire to plan ahead and deal with the biggest crisis we face.
- (6) That the funding crisis, in particular the failure to publish the green paper caused by Brexit-related policy paralysis is putting untold Nottinghamshire residents at risk with un-met care needs.

This Council therefore resolves to instruct the Leaders of the Ashfield Independents, the Conservatives and Labour Parties on Nottinghamshire County Council to write to the Secretary of State for Health and Social Care setting out the consequences of the Government's failure to get to grip with funding social care, calls for emergency parachute payments to Councils, calls for a timetable for the publication of the green paper and to reiterate our call for this to be published as soon as possible so we can deal with the biggest catastrophe facing Nottinghamshire County Council."

An amendment to the Motion as set out below was moved by Councillor Tony Harper and seconded by Councillor Richard Jackson:-

"This Council welcomes the Government's response to the County Councils Network's campaign for additional resources for councils, particularly with regard to adult social care funding. The additional £1 billion funding boost for social care announced in September will give councils some real breathing space over the next 18 months, allowing us to protect vital services for our communities."

This Council ~~however~~ notes the crisis in Social Care and further notes the multiple delays to ~~that~~ the green paper on Adult Social Care. The green paper **which** was first promised in the March 2017 budget as a route to a more secure and sustainable system—it has now been delayed numerous times – Ministers citing 'Brexit' as the main reason. **In fact, successive governments since the 1940s have failed to tackle the question of how social care will be funded sustainably in the future.**

~~The green paper aimed to confront two issues: chronic underfunding of the existing means-tested care system caused by the huge cuts in government funding to councils since 2010 and the urgent need to protect self-funding people outside the current system from catastrophic care costs.~~

~~This Council further notes:~~

- ~~(1) The proportion of the council's budget spent on Adult Social Care in 2019/20 is 35p in every £1 of Council expenditure. This amounts to £356 million pounds this financial year. This is £11.9 million more than this County Council expected to raise in Council Tax this year. This is unsustainable.~~
- ~~(2) The Association of Directors of Adult Social Services recent statement that social care in England was adrift in a "sea of inertia" caused by years of budget cuts and that "The system is not only failing financially, it is failing people."~~
- ~~(3) That this is causing significant pressure on the finances of Nottinghamshire County Council – becoming this Council's single biggest expenditure.~~

~~(4) The importance of a reformed funding system to give Councils like Nottinghamshire the financial certainty to address the underlying problems.~~

~~(5) That~~The delays to the green paper make it more difficult~~impossible~~ for Councils like Nottinghamshire to plan ahead ~~and deal with the biggest crisis we face.~~
so

~~(6) That the funding crisis, in particular the failure to publish the green paper caused by Brexit-related policy paralysis is putting untold Nottinghamshire residents at risk with un-met care needs.~~

~~This Council therefore resolves to write through instruct the Leaders of the Ashfield Independents, the Conservatives and Labour Parties on Nottinghamshire County Council to write to the Secretary of State for Health and Social Care setting out the consequences of the Government's failure to get to grip with funding social care, calls for emergency parachute payments to Councils, callings for a timetable for the publication of the green paper and to reiterate our call for this to be published as soon as possible so we can deal with the biggest catastrophe facing Nottinghamshire County Council."~~

The meeting adjourned from 11.22am to 11.35am to enable members to consider the proposed amendment.

The amendment was not accepted by the mover of the motion.

Following a debate, the amendment was put to the meeting and after a show of hands the Chairman declared it was carried and became the substantive motion.

The motion as amended was put to the meeting and after a show of hands the Chairman declared it was carried and it was:-

RESOLVED: 2019/029

This Council welcomes the Government's response to the County Councils Network's campaign for additional resources for councils, particularly with regard to adult social care funding. The additional £1 billion funding boost for social care announced in September will give councils some real breathing space over the next 18 months, allowing us to protect vital services for our communities.

This Council however notes that the green paper on Adult Social Care which was first promised in the March 2017 budget as a route to a more secure and sustainable system has now been delayed numerous times – Ministers citing 'Brexit' as the main reason. In fact, successive governments since the 1940s have failed to tackle the question of how social care will be funded sustainably in the future.

The delays to the green paper make it more difficult for Councils like Nottinghamshire to plan ahead, so this Council therefore resolves to write through the Leader to the Secretary of State for Health and Social Care calling for a timetable for the green paper to be published as soon as possible.

Council adjourned from 12.18pm to 1.19pm for lunch during consideration of this item. The Chairman, Councillor Kevin Rostance, arrived at 1.19pm and Chaired for the remainder of the meeting.

5. CHAIRMAN'S BUSINESS

PRESENTATION AND AWARDS

Association of Directors for Environment, Economy, Planning and Transport – Highly Commended Award.

Councillor Mrs Kay Cutts MBE introduced the award informing the Council that the Council's Digital Growth Programme had been awarded as "Highly Commended" at the ADEPT President's Awards under the category of "Deploying Digital Innovation and Technology". The Chairman received the award from Councillor Cutts and presented it to Emily Wormall and Trish Burke from the Growth and Economic Development Team.

Ambassador Centre Status Award

Councillor Tracey Taylor introduced the award which gave St Michaels Environmental Education Centre Ambassador Status from the Peak District National Park. St Michaels was the first centre to receive this status. The Chairman received the award from Councillor Taylor and presented it to Ian Weeks, Head of Centre at St Michaels.

CHAIRMAN'S BUSINESS SINCE THE LAST MEETING

The Chairman updated the Chamber on the business he had carried out on behalf of the Council since the last meeting.

6. CONSTITUENCY ISSUES

The following Member spoke for up to three minutes on issues which specifically related to their division and were relevant to the services provided by the County Council.

Councillor Neil Clarke MBE – regarding parents parking outside or near schools in his division leaving engines running / idling and how to alleviate this behaviour in these more environmentally aware times.

Councillor Muriel Weisz – regarding the site of the former Sherwood E-Act Academy in Gedling

7a. PRESENTATION OF PETITIONS

The following petitions were presented to the Chairman as indicated below:-

- (1) Councillor Gordon Wheeler requesting a new road surface on Lydney Park, West Bridgford
- (2) Councillor Neil Clarke MBE requesting a new road surface on Nottingham Road, Cropwell Bishop
- (3) Councillor Tracey Taylor requesting improved vehicle speed and HGV traffic management on Blyth Road, Ranskill
- (4) Councillor Mike Quigley MBE requesting an extension to an existing residents parking scheme on Queen Street, Retford
- (5) Councillor Andrew Brown requesting a partial road closure on Landcroft Lane, Sutton Bonington
- (6) Councillor John Handley regarding dangerous parking outside Brinsley Primary School
- (7) Councillor Roger Jackson requesting crash barriers along Hoveringham Road, Hoveringham
- (8) Councillor John Peck JP requesting the resurfacing of the B6030, Mansfield Road, through Clipstone
- (9) Councillor Kate Foale requesting a residents parking scheme for Redwood Crescent, Beeston
- (10) Councillor Stephen Garner regarding a proposed Traveller Site at the side of Abbey Primary School, Mansfield
- (11) Councillor Vaughan Hopewell regarding traffic calming measures on Bransdale Avenue, Forest Town
- (12) Councillor Muriel Weisz requesting a compulsory speed restriction / interactive speed sign and a weight restriction on Moore Road, Mapperley
- (13) Vice-Chairman Stuart Wallace requesting a policy to pursue the divestment of funding in fossil fuels by the Nottinghamshire Pension Fund.

RESOLVED: 2019/030

That the petitions be referred to the appropriate Committees for consideration in accordance with the Procedure Rules, with a report being brought back to Council in due course.

7b. RESPONSE TO PETITION PRESENTED TO THE CHAIRMAN OF THE COUNTY COUNCIL

RESOLVED: 2019/031

That the contents and actions taken as set out in the report be noted.

8. NOTTINGHAMSHIRE YOUTH JUSTICE STRATEGY 2019

Councillor Philip Owen introduced the report and moved a motion in terms of resolution 2019/032 below.

The motion was seconded by Councillor Tracey Taylor.

Following a debate, the Chairman put the Motion to the meeting and after a show of hands the Chairman declared it was carried and it was:-

RESOLVED: 2019/032

That the Nottinghamshire Youth Justice Strategy 2019, as set out in appendix 1 of the report, be approved.

9. THE CODE OF CONDUCT FOR COUNCILLORS AND CO-OPTED MEMBERS – APPOINTMENT OF INDEPENDENT PERSON

Councillor Bruce Laughton introduced the report and moved a motion in terms of resolution 2019/033 below.

The motion was seconded by Councillor Andy Sissons.

The Chairman put the Motion to the meeting and after a show of hands the Chairman declared it was carried and it was:-

RESOLVED: 2019/033

That the appointment of Rob White to the role of Independent Person, for an initial period up to 21 May 2020 be approved.

10. NOMINEES FOR THE ADMINISTRATION OF ESTATES, AND DEALING WITH THE FINANCIAL AFFAIRS OF INDIVIDUALS LACKING MENTAL CAPACITY

Councillor Richard Jackson introduced the report and moved a motion in terms of resolution 2019/034 below.

The motion was seconded by Councillor Tony Harper.

The Chairman put the Motion to the meeting and after a show of hands the Chairman declared it was carried and it was:-

RESOLVED: 2019/034

- 1) To formally delegate authority to act as the Council's nominee/s for the purpose of administering the estates (including making an application to the Probate Registry for a Grant of Representation) of deceased service users and their relatives or the estates of deceased relatives of looked after children or adults lacking mental capacity where necessary to:
 - a. the Group Manager Legal, Democratic and Complaints (or any successor postholder having responsibility for the head of the Legal Service); and
 - b. the Corporate Director of the relevant service department (to act as an additional nominee in cases where two nominees are legally required).
- 2) To formally delegate authority to the Corporate Director of the relevant service department and the Group Manager Legal, Democratic and Complaints to act as a trustee in appropriate cases.
- 3) To formally delegate authority to the Corporate Director of the relevant service department to act as the Council's nominated Deputy for an individual where it is necessary for the Council to deal with their property and affairs.
- 4) To formally delegate authority to the Corporate Director of the relevant service department to act as an appointee of the Department of Works and Pensions in order to deal with the benefits of service users who cannot manage their own affairs.
- 5) To delegate to the Chief Executive the authority to make any similar such nominations in the future on behalf of the County Council as may be required for the efficient and effective conduct of service delivery.
- 6) To authorise the Council's Monitoring Officer to update the Council's Scheme of Delegation for Officers to reflect the above delegations which, for the avoidance of doubt, shall apply to the person from time to time holding the above posts or to any equivalent or replacement successor job titles to each of those posts.

11a. QUESTIONS TO NOTTINGHAMSHIRE AND CITY OF NOTTINGHAM FIRE AUTHORITY

None

11b. QUESTIONS TO COMMITTEE CHAIRMAN

Nine questions had been received as follows:-

- 1) from Councillor Bruce Laughton regarding the cutting of grass verges (Councillor Gordon Wheeler replied)
- 2) from Councillor Alan Rhodes about the impact of HS2 delay on the local economy (Councillor Mrs Kay Cutts MBE replied)
- 3) from Councillor Kate Foale concerning the use of funds for free school meals (Councillor Philip Owen replied)
- 4) from Councillor David Martin regarding electronic real time bus information signs (Councillor John Cottee replied)
- 5) from Councillor Jason Zadrozny about funding for transport (Councillor Mrs Kay Cutts MBE replied)
- 6) from Councillor Muriel Weisz concerning cost of care policy (Councillor Tony Harper replied)

The full responses to the questions above are set out in set out in Appendix A to these minutes.

The time limit of 60 minutes allowed for questions was reached before the following questions were asked. A written response to the questions would be provided to the Councillors who asked the questions within 15 working days of the meeting and be included in the papers for the next Full Council meeting.

- 7) from Councillor Ton Hollis regarding resources to tackle Council Tax Fraud (Councillors Mrs Kay Cutts MBE to reply)
- 8) from Councillor Rachel Madden concerning a food waste recycling pilot proposal (Councillor John Cottee to reply)
- 9) from Councillor Kate Foale regarding KS4 Curriculum on study for Citizenship (Councillor Philip Owen to reply)

12. NOTICE OF MOTIONS

Motion One

A Motion was moved by Councillor Tracey Taylor and seconded by Councillor Tony Harper in terms of resolution 2019/035 below.

Following a debate, the motion was put to the meeting and after a show of hands the Chairman declared it was carried and it was:-

RESOLVED: 2019/035

This Council recognises the threat posed by Child Criminal Exploitation, in particular 'County Lines' drug dealing, where gangs from city areas have expanded their

operations into towns and villages by using violence, coercion or manipulation to recruit vulnerable children and young people to carry and sell drugs.

This Council supports the excellent work being undertaken by our officers in partnership with other organisations, including the Police, to raise awareness of and combat Child Criminal Exploitation so that young people at risk are identified, supported and protected. These measures include:-

- support to, and information sharing with, schools;
- multi-agency training and awareness raising;
- targeted youth work and youth crime prevention;
- monthly Serious Youth Violence & Criminal Exploitation Panels;
- place-based safeguarding;
- a Criminal Exploitation Steering Group; and
- a Home Office-funded Violence Reduction Unit for Nottinghamshire.

Such work already falls within the purview of many of our committees including Children and Young People, Adult Social Care and Public Health and Communities and Place, and this should continue.

This Council further resolves that reports will be brought to Policy Committee at appropriate intervals to provide an overview of these various elements of work and recommend, as required, any further strategic actions that may be necessary to tackle this issue, especially with regard to our youth services.

Councillor Jason Zadrozny left the meeting at 3.20pm during consideration of this item.

Motion Two

A Motion was moved by Councillor Bruce Loughton and seconded by Councillor John Cottee in terms of resolution 2019/035 below.

Following a debate, the motion was put to the meeting and after a show of hands the Chairman declared it was carried and it was:-

RESOLVED: 2019/036

This Council welcomes the recommendations agreed at Communities and Place Committee on 5 September 2019, approving further work to develop Electric Vehicle (EV) technology and encourage its use. This reflects the national drive to increase the use of EVs and recognises their role in achieving our local, regional, and national objectives for transport and the environment – particularly our statutory duty to improve air quality.

However, this Council also recognises the challenges that are present when rolling out new technology to countryside areas, and the additional work that is required to ensure that urban and rural communities' have comparable access to such utilities.

This Council therefore instructs officers to undertake further work to examine the EV infrastructure currently available to rural communities, and how this could be enhanced

to ensure that these communities are not left behind as this technology continues to advance.

This work will be fed back to Communities & Place Committee as part of its wider remit for the development of EV infrastructure.

Councillor Jason Zadrozny returned to the meeting at 4.18pm during consideration of this item.

The Chairman declared the meeting closed at 4.32 pm.

CHAIRMAN

APPENDIX A

COUNTY COUNCIL MEETING HELD ON 10TH OCTOBER 2019 QUESTIONS TO COMMITTEE CHAIRMEN

Question to the Chairman of the Communities and Place Review and Development Committee from Councillor Bruce Laughton

At the Full Council meeting on 11th July 2019, the Council agreed to task the Communities and Place Review and Development Committee with examining and making recommendations on Nottinghamshire County Council's vegetation management policies, including our approach to grass verge cutting on rural roadsides.

Is the Committee Chairman aware of recent media reports that Highways England plan to reduce grass verge cutting frequency from four times a year to twice a year, in line with guidelines developed by the plant charity, Plantlife, working with partners including Natural England, Transport Scotland, the Welsh Government, Wildlife Trusts and Butterfly Conservation?

Plantlife argue that a "less and later" two-cut approach would replenish the seed bank, restore floral diversity, save councils money and provide a pollinator habitat estimated to equal the size of London, Birmingham, Manchester, Cardiff and Edinburgh combined.

Will the Committee Chairman ensure that Plantlife's Managing Grassland Road Verges' report is one of the items of information and evidence his committee takes into account during their work?

Response from Councillor Gordon Wheeler, Chairman of the Communities and Place Review and Development Committee

It is very timely actually, because officers have been working with me to produce the report and presentation to be brought before the next committee meeting. Councillor Henry, my Vice Chairman, is aware of this.

Yes, I did see the Highway's England's new grass verge cutting policy reported in the Daily Telegraph, and I understand it was also covered on the BBC Radio Four 'Today' programme.

From the Telegraph article, I noted in particular the statistic that there has been a 20 per cent drop in floral diversity since 1990, quite alarming really isn't it? Due to poor and inappropriate management of vegetation.

The same article stated that UK road verges are home to more than 700 species of wild flowers including 29 of the 52 species of wild orchid found in this country. These are important food sources for bees and butterflies, and some varieties are relatively rare.

The assertion of the 'Managing Grassland Road Verges' report produced by the plant conservation charity Plantlife, is that the majority of UK road verges are currently cut too often and at the wrong time for such plants to thrive. It is hoped that this new "less and later" cutting approach will greatly enhance biodiversity. The same article, and I will read this with your indulgence if I may, says where once there was a desire to see verges "scalped" to the bone for that nice neat and tidy look, I am sure most of us can appreciate that our residents come to us complaining that the grass hasn't been cut, there is increasing appetite for messier verges that will provide better cover and food for wildlife. As well as offering hope to some incredibly rare flowers that only appear on road verges, a shift in public attitude reflected in the huge support for plant life conditions means you can see more flowers familiar to us.

We will indeed be considering the emerging approach of Highways England and the guidance from Plantlife, and I have asked officers to provide Committee with a review of the practice of other County Councils across the country.

In accordance with the instructions of Full Council we will also be reviewing our current practice around weed-spraying, tree and hedge maintenance. Our aim is to produce a 'fit for purpose' approach for the County's highway network mindful of all considerations, especially the diversity and habitat aspects.

I look forward to beginning this work at the Committee meeting in November and coming to conclusions in good time for the spring of 2020, ready for the new season of grass cutting and weed spraying.

Please Members do feel free to come along to the meeting so we can listen to your views.

Question to the Leader of the Council from Councillor Alan Rhodes

What will the impact of your government's decision to delay HS2 be on the economy of Nottinghamshire and the wider East Midlands?

Response from Councillor Mrs Kay Cutts MBE, Leader of the Council

Nottinghamshire County Council and partners continue to be passionate advocates for HS2 and the transformational economic benefits it will bring to Nottinghamshire and the wider East Midlands region. The recent stocktake report by the Chairman of HS2 Ltd has indicated the project could be delayed, with the eastern leg of HS2 opening between 2035 and 2040 (the original date was 2033). This reflects a review of project timescales to ensure a realistic delivery timescale for such a monumental infrastructure project.

The HS2 Chairman's report also more importantly reiterated the immense economic benefits HS2 will bring and the opportunity it offers to rebalance the economy. Regardless of the change in timescale, it still offers an incredible opportunity to bring major investment to the East Midlands region, a region which has suffered from chronic underinvestment for decades. It is an investment in our residents and communities, which will make an enormous positive difference to the prosperity of generations to come.

Our view is that we do not need to wait for HS2 services to arrive, to start delivering economic benefits to our region. Any delay to opening does not impact on our ambitious plans for growth, where work continues at pace. Partners across the region are actively working to realise the early benefits of HS2 ahead of its arrival. The East Midlands HS2 Growth Strategy sets out our proposals to deliver an additional 74,000 jobs and £4 billion GVA. We are already seeing additional investment in the region as a result of HS2. We continue to work closely with local partners, including businesses and developers, to deliver the Growth Strategy vision.

In July 2018, the Department for Transport (DfT) announced £1.8m of additional support to develop plans for growth around Toton. The first tranche of funding has already helped to develop our plans for growth, critically delivering two major master planning and local connectivity commissions, which identified a range of improvements and investments we can make ahead of HS2's arrival to unlock growth. Based on the outcomes of these commissions, Toton Delivery Board endorsed a series of proposals for the second tranche of funding at its September 2019 meeting, which will help to deliver further infrastructure improvements. These include detailed highway design studies and developing the case for investment in Junction 25 of the M1.

Following the Chancellors announcement of a locally led delivery body in October last year, I have worked alongside Sir John Peace, the Chairman of the Midlands Engine to drive forward the creation of an innovative development corporation. This new body which we anticipate coming into force next year will offer certainty to private sector investors, broker investment from Government and secure the delivery of internationally significant developments in our region, with HS2 at Toton one of the 3 initial investment locations. This project has the full support of Government. I recently met with the Secretary of State for Local Government and Communities along with regional business leaders and Sir John where we updated the Minister on progress.

Local leaders will continue to make the case for delivery of HS2 in full and at the earliest possible opportunity. An independent review into HS2, chaired by Douglas Oakervee, was commissioned in August 2019. Under my leadership, as Chairman of the East Midlands HS2 Partnership, I wrote to Douglas Oakervee, inviting the review team to come to Nottinghamshire to meet local partners. The Chairman of the review came himself, to the region on Wednesday 25th September. This provided an excellent opportunity to share more about our exciting plans for growth including ongoing work to explore establishing a locally led development body. This visit included a tour of Toton where they were able to see the scale of opportunity on offer for themselves. We also have the support of our colleague Tricia Gilby who chairs the Chesterfield board.

It is my strong belief that the Government cannot pick and choose which parts of the HS2 network to deliver and which to cancel. The upgrade of the railway network is especially important across the Midlands and the North and we are all in this together. That is why I have personally supported Midlands Connect, the West Midlands Combined Authority and the Constellation Partnership to present a joint prospectus about the opportunity that HS2 will bring across our whole regions. We are united in

this cause and I believe the Oakervee review panel have heard that message loud and clear.

HS2 is about investing in the people and prosperity of Nottinghamshire and the wider region. The potential delay should be seen in this context, where the investment being made will provide transformative benefits to our communities and future generations in the long term.

Question to the Chairman of Communities and Place Committee from Councillor Kate Foale

Can the Chairman reassure members that all the money due to every child who is eligible for a free school meal in this County is used for its intended purpose: that is for that child's sustenance and nutrition?

Response from Councillor John Cottee, Chairman of Communities and Place Committee

Nottinghamshire County Council School Catering Services operate to the highest nutritional standards as set out by the School Food Trust.

All of the revenue from this service is reinvested in the provision of meals for school children in Nottinghamshire. In addition, a large proportion of our food budget is spent in Nottinghamshire to support local producers and local businesses.

National funding for free school meals is sent directly to schools. As such our school catering service has no direct influence on the use of this funding. Each school sets its own policy and practice with regard to the use of the funding.

The service is working closely with the Public Health team to promote good nutrition and the best use of this funding for schools, in support of a national programme to reduce obesity. Nottinghamshire County Council has also been chosen as one of five Councils in England to be part of a National Obesity Trailblazer programme.

Question to the Chairman of the Communities and Place Committee from Councillor David Martin

Would the Chairman of the Communities and Place Committee please inform me when the Parish of Selston is likely to have the electronic, real time bus information signs at bus stops on our main bus routes?

Response from Councillor John Cottee, Chairman of the Communities and Place Committee

This County Council has been very successful in securing external funding to enable the roll out of real time information in a number of locations around the County. In recent years, this has included S106 developer funding to introduce real time information particularly along the Rainbow One corridor in Broxtowe, and Regional Development Funding for the Threes corridors in Ashfield, which is the Mansfield, Sutton, Kirkby, Hucknall to Nottingham route.

In the recent Transport Focus passenger survey, Nottinghamshire County Council was highly rated for the provision of information at its bus stops and the investment in real time information has undoubtedly contributed to this recognition.

Nevertheless, we are mindful that we don't yet have full coverage across the County and whilst I am not able to give a date for Selston at present, I can assure Councillor Martin that this administration remains committed to securing funding at every opportunity to do so.

Question to the Leader of the Council from Councillor Jason Zadrozny

A recent HM Treasury report confirms that the East Midlands is continuing to lose out in terms of public investment. Of particular concern is the continued poor level of transport funding with obvious implications for future rates of local and regional economic growth.

The East Midlands has the lowest level of public expenditure on transport in England, in total per head and the lowest level of public expenditure on our railways per head.

In 2017/18, London received £1,019 in transport funding per head, the North West £528 per head and the East Midlands received only £245 per head.

The unfair funding that the East Midlands faces will only get worse with the cancellation of the electrification of the Midlands Mainline in our region.

Would the Leader of the Council agree with me that this is an absolute scandal, that the Conservative Government have completely let Nottinghamshire and the East Midlands down and make a statement to this Council about what she plans to do to raise this scandal with the Government?

Response from Councillor Mrs Kay Cutts MBE, Leader of the Council

I appreciate that as the declared Parliamentary candidate for 'Jason Zadrozny's Ashfield and Eastwood Independents' at the next General Election, you have a greater motivation than ever to attack the Conservative Government or the Labour Party at every opportunity. However, by singling out the Conservative Government in this particular question, I think you distract yourself from what is otherwise a valid point.

I agree with you that the East Midlands receives a level of public investment that is so low as to be demonstrably unfair and inadequate compared with the rest of the country. You cite some examples in your question with regard to transport funding, and I too have drawn attention to this lack of funding on numerous occasions, not just at a election time.

As you know, I include a regular item on the Policy Committee agenda where I invite the Executive Director of East Midlands Councils to update members on the key issues within the region, and in February last year his report included a paper scrutinising levels of public investment in the East Midlands, based on the latest HM Treasury

report at that time. One of the statistics was that the East Midlands had the 3rd lowest total of public expenditure on services in total and per head.

As your question confirms, not much has changed in the past twelve months. This was illustrated by the figures presented recently to the East Midlands Councils Executive Board Meeting on 20 September 2019, which I attended.

We must recognise, however, that the East Midlands has not found itself in this position overnight. The underfunding of this region is historic. It pre-dates the current Conservative Government and even the previous Coalition Government by many years. The East Midlands was comparatively poorly funded when the Blair and Brown Labour Governments were spending public money. For example, in 2004-05, public expenditure on services per head in the East Midlands was the third lowest nationally, which is exactly the same position as we find ourselves in today.

This Conservative and Mansfield Independent administration has fought hard for Nottinghamshire and this region. We work with the Government, the Midlands Engine and Midlands Connect to make the case for investment to ensure our County gets a fairer share, with some success, for example:-

- the £150 million investment in the A453;
- over £35m of investment in the Gedling Access Road;
- £5m of maintenance challenge funding for improvements on the MARR; and
- £2.5m on cycle route improvements in Mansfield, Newark, Arnold, West Bridgford and Nottingham Enterprise Zone.

Recently we have secured investment in the A614 through the Major Road Network, a Department for Transport Fund. Through our direct efforts, £20m will be invested in improving the highway between Lowdham and Ollerton, unlocking growth and development opportunities through the centre and the north of the County. Our Major Road Network project was one of the first in the country to be approved.

Without question there is still a long way to go before central government's historical underfunding of our local infrastructure is truly reversed, and to secure more investment it is important to have fully worked up schemes. This administration has prioritised a number of additional key routes for transport and highways investment. Feasibility studies and designs are being developed for potential schemes for the A617, the A38, and the A611 to name but three. When the next opportunity comes for us to bid for Government investment, we will be ready to get our fair share, because our schemes will be "shovel ready".

Our priorities are not just about investment in the major roads for which Nottinghamshire County Council is responsible. Securing investment in the strategic road network is also hugely important. That's why we have continued to lobby Government and develop the strategic and economic case for improvements to the A46 at Newark. I hope Members will welcome the announcement recently made by the Chancellor committing to the delivery of this much needed scheme as part of the Government's infrastructure revolution.

I would add that as well as the investment the East Midlands region is seeking to secure as part of the HS2 programme, a bid is also with Ministers to secure £30m of investment in new roads to connect communities around the station at Toton and unlock development land for employment and housing purposes.

Councillors will recall that this Council previously passed a motion concerning the electrification of the Midland Mainline. We see electrification as a potential solution to problems on the Midland Main Line and will continue to push for options to electrify the entire route to be kept open for future consideration. In the meantime, the Council is willing to be persuaded about alternative solutions which would still involve significant Government investment, so long as they can deliver the same or better outcomes than those anticipated through electrification.

As we discussed earlier today, the Government has launched an independent review into HS2 chaired by Douglas Oakervee. In my capacity as Chairman of the East Midlands HS2 Partnership, I wrote to the review Chairman inviting him to the region to set out our case for investment in transport for the East Midlands. The Oakervee review team were welcomed to the region on Wednesday 25th September. This provided an excellent opportunity to share more about our exciting plans and make it clear that we expect our share of the investment in rail here in our region.

Both London and the North West have been successful in securing funding for their regionally important schemes through Transport for London and Transport for the North respectively. Therefore, we will continue to work directly to secure improvements in Nottinghamshire, we will use the power of Midlands Connect to strengthen the case for essential improvements for the region as a whole and to secure funding for transport schemes considered to be the East Midlands' highest priorities.

I shall continue to do everything I can as Leader of Nottinghamshire County Council to ensure the East Midlands receives a fairer and greater share of funding in the future than it has in the past. The way to achieve this is not to pin all the blame for an historic problem on the Government of the day, whatever its political flavour. On the contrary, we need to lobby and work with the Government.

Question to the Chairman of the Adult Social Care and Public Health Committee from Councillor Muriel Weisz

In light of the Leaders recent comments in the local media welcoming the 'large increase in funding' in particular for social care, would the Chair of Adult Social Care and Public Health Committee now like to reconsider the possibility of reversing the increase in charges for the cost of care policy which continues to cause misery for residents in our County?

Response from Councillor Tony Harper, Chairman of the Adult Social Care and Public Health Committee

You are correct that the Council Leader and I have publicly and justifiably welcomed the additional money for Councils announced by the Chancellor of Exchequer early in September.

As stated in my amendment to Councillor Zadrozny's motion earlier today, the £1 billion of additional investment in adult and children's social care represents a significant sum of money, and Nottinghamshire County Council's share will enable us to maintain services at their current level without the need to find further savings to balance the budget in the short-term.

There are, however, two important reasons why this extra money is not a licence to reverse our previous policy decision in relation to Contributions to Care.

The first reason is that this additional money is still temporary, as has been the case with previous contingency grants in recent years. As I stated earlier today, local authority social care leaders across the country, myself included, still need to hear what the medium and long-term plan will be for social care funding, which is why it remains essential that the Social Care Green Paper originally promised by the Government in 2017 is published as soon as possible. Until we have more information in this regard, it would not be in the interests of Nottinghamshire County Council's service users and taxpayers to make long-term commitments to additional expenditure which might not prove to be sustainable, be that in relation to the Contributions to Care policy or anything else. This was effectively acknowledged by several opposition councillors early today, "sticking plaster", "temporary money", "not enough money in the pot".

The second reason is that whilst the changes to the Contributions to Care policy were undeniably driven to an extent by financial considerations and the need to ensure a sustainable service for the medium to long-term, they also only served to bring Nottinghamshire County Council into line with many other authorities providing social care services across the country.

As stated in the original paper recommending the change to individual contributions to care policy in July 2018, Department of Health Care Guidance allowed for higher rate benefits to be taken into account in contribution calculations. Many other councils had reviewed their contribution policies and either adopted in full, or moved closer to, the guidance provided. In Nottinghamshire, a local decision had previously been made to discount the higher rate benefits paid to people, but this local decision had proved to no longer be sustainable or equitable. In October 2018 the Council therefore agreed to adopt the Department of Health guidance and take higher rate benefits into account in full.

It is a matter of record and of regret that the speed with which this policy was rolled out later in the year was excessive. We listened with great concern to public feedback and acknowledged in December 2018 that insufficient time had been provided to enable people to adjust to these changes, so we agreed to bring the policy in more gradually, in two phases, from April to November this year.

Also, in February this year, we made a further policy adjustment recognising that if the policy originally agreed was implemented in full, it would have a disproportionate impact on adults aged 18 to 25 years. We instead amended the policy to apply two Minimum Income Guarantee levels rather than three – one for people of pension credit age and over, and one for people aged 18 years to under pension credit age.

We further proposed to phase the implementation for those aged 18 years to pension credit age, so from April 2019 the rate used reflected the mid-point between the previous level used by the Council of £189, and the new proposed level of £151.45. This phased rate of £170.23 is being applied between April and November this year.

The financial implication of these changes was that the saving of £3.8 million per annum originally envisaged by this policy would be reduced to £1.3 million in 2018/19 and £2.6 million in 2019/20, with the full saving not now being reached until 2020/21. In other words, the council adjusted its budget expectations in order to iron out the flaws in the original policy and ensure that service users in Nottinghamshire were receiving at least the same service as those in many other authorities, and indeed still better than some.

It is standard policy across this Council that we benchmark our service provision against that of other authorities to ensure that we are delivering such services and spending public money in a fair and equitable way. If Government Guidelines change, or if other councils change their policies regarding the delivery of services, we will take note of this and consider whether this authority needs to make changes also. At present, however, the Contributions to Care policy agreed last October, as subsequently amended, is not an outlier compared with other local authorities.

**REPORT OF THE CHAIRMAN OF NOTTINGHAMSHIRE PENSION FUND
COMMITTEE****RESPONSE TO PETITION PRESENTED TO THE CHAIRMAN OF THE
COUNTY COUNCIL****Purpose of the Report**

1. The purpose of this report is to inform Council of the decision made by the Nottinghamshire Pension Fund Committee concerning issues raised in the petition presented to the Chairman of the County Council on 10th October 2019.

Information

2. A 140 signature petition was presented to the 10 October 2019 meeting of the County Council by Councillor Stuart Wallace as Vice Chairman (Ref:2019/0371). The petition was submitted by residents of West Bridgford North Division, calling on Nottinghamshire County Council to take action to ensure that Nottinghamshire Pension Fund met Extinction Rebellion Nottingham's demands regarding fossil fuel divestment.
3. These demands were that the Pension Fund:
 - (a) Creates a culture of transparency in relation to all the investments held by it (including infrastructure investments and equity investments held in Managed Funds), so it is possible for both the Fund itself and for members to identify the value and location of investments in companies that extract and sell fossil fuels.
 - (b) Declare divestment from all fossil fuel-related assets over the next three years.
 - (c) Produce a plan for this, including for the replacement of fossil fuel investments with investments in companies whose activities mitigate climate change, and for local investment within Nottinghamshire in ecologically sustainable projects.
4. The Nottinghamshire Pension Fund Committee agreed the following responses to the petition:-

Response to (a)

5. The Nottinghamshire Pension Fund is committed to openness and transparency and publishes investment holdings on a regular basis. This list of holdings includes significant

amounts in passive funds which reflect particular indices. The proportion of investments in particular companies within these indices is publicly available information, and anybody interested can calculate this for themselves. The pension fund does not hold a register which records all investments within Managed Funds. Any such register would take significant resources to create and our right to publish this information may be restricted. The benefit to the Pension Fund of this detailed information would be insufficient to justify the additional costs which would be incurred to create it. The proportions invested in major industries within our passive investments, such as fossil fuels, are monitored by the Pension Fund as part of our risk management. The Pension Fund also holds a number of actively managed pooled funds. These are a much smaller part of our investments and the risk profile is managed by the appointed managers in line with our Environmental, Governance and Social Investment standards.

Response to (b)

6. There are a number of reasons why full divestment from fossil fuel related assets would not be the right decision at the present time.
7. Nottinghamshire Pension Fund has the following belief about financial markets, as stated in our Investment Strategy Statement: "Diversification is a key technique available to institutional investors for improving risk-adjusted returns." This includes diversification across asset classes, regions, and sectors. Divesting from certain sectors – for example the energy sector – would limit the fund's diversification opportunities.
8. Almost every business in the world to some extent depends on the use of fossil fuels. Selling shares in oil and gas companies will not make real world changes to greenhouse gas emissions. We believe there needs to be corporate change, which in our view is more likely with an engagement strategy. Our partners engagement programme stretches far beyond fossil fuel producers. As long as fossil fuel demand remains strong, fossil fuel supply will continue. Therefore, our engagement programme covers both the supply side and the demand side.
9. As described in Nottinghamshire Pension Fund's Annual Report, engagement continues to highlight and improve the resilience of corporate strategies at global resource companies in the wake of climate change agreements. Our asset pool LGPS Central has set out a Responsible Investment & Engagement Framework and an Annual Stewardship Plan which align with and support Nottinghamshire Pension Fund's approach. Climate change is one of LGPS Central's specific stewardship themes. Through LGPS Central, and its stewardship partner Hermes EOS, we engage very widely on climate change with companies, auditors of companies, industry standard setters and policy makers. We actively seek changes to corporate behaviour through global climate-related investor partnerships including Climate Action 100+, Institutional Investor Group on Climate Change and the Transition Pathway Initiative (TPI). TPI was set up for asset owners like pension funds so that they can better understand the risks they carry through holding for instance heavy carbon-emitting companies, and to act on that information.
10. We favour engagement over divestment because we believe that engagement is more supportive of fiduciary outcomes (particularly effective risk management) and more supportive of societal outcomes (because were we to sell our shares to climate-unaware investors, corporate change is far less likely).

11. A policy of exclusion would increase the costs of managing the Pension Fund investments, and crucially would be inconsistent with the investment beliefs of the rest of our Pool, significantly increasing the costs of investment for both ourselves and partner funds.
12. For these reasons full divestment is not considered appropriate.

Response to (c)

13. As full divestment is not considered appropriate, a plan to implement this is not required. However in line with our approved Investment Strategy Statement the Nottinghamshire Pension Fund is likely to reduce its investments in fossil fuel production, with an increased allocation to infrastructure investments, a significant proportion of which is in clean energy, and a gradual reduction in equity investments. Within our equity investments we are looking at a number of low carbon and sustainable funds to increase diversity. Over time our exposure to fossil fuels will reduce as a result of these asset allocation and diversification decisions
14. It was agreed that the lead petitioner be informed accordingly.

Statutory and Policy Implications

15. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION

It is recommended that the contents of the report be noted.

Councillor Eric Kerry – Chairman of the Nottinghamshire Pension Fund Committee

For any enquiries about this report please contact:

Tamsin Rabbitts

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

Electoral Division(s) and Member(s) Affected

- All

**REPORT OF CHAIRMAN OF FINANCE AND MAJOR CONTRACTS
MANAGEMENT COMMITTEE****TREASURY MANAGEMENT MID-YEAR REPORT 2019/20****Purpose of the Report**

1. To provide a mid-year review of the Council's treasury management activities in 2019/20 for the 6 months to 30 September 2019.

Information

2. Treasury management is defined as "the management of the council's investments and cashflows; its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks".
3. County Council approves the Treasury Management Policy and Strategy and also receives mid-year and full year outturn reports. The Council delegates responsibility for the implementation, scrutiny and monitoring of its treasury management policies and practices to the Treasury Management Group, comprising the Service Director (Finance, Infrastructure & Improvement), the Group Manager (Financial Management), the Senior Accountant (Pensions & Treasury Management), the Senior Accountant (Financial Strategy & Compliance) and the Investments Officer.
4. In the first half of 2019/20, borrowing and investment activities have been in accordance with the approved limits as set out in the Council's Treasury Management Policy and Strategy. Appendix A provides a detailed report on the treasury management activities and Appendix B provides a breakdown of the transactions during the period. The main points to note are:
 - All treasury management activities were undertaken by authorised officers within the limits agreed by the Council.
 - All investments were made to counterparties on the Council's approved lending list.
 - £20m of new borrowing has been raised since the start of the financial year, and £7.5m of existing debt has been redeemed on maturity.
 - Over the 6 month period the Council earned 0.74% on its short-term lending, performing better than the average 7 day London Inter-Bank Bid (LIBID) rate of 0.57%.

Reasons for Recommendation/s

5. It is considered good practice for Members to consider treasury management planned and actual performance at least three times per financial year, firstly in the Strategy Report before the start of the year, then in this Mid-Year Report, and also in the Outturn Report, after the close of the financial year.

Statutory and Policy Implications

6. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

7. There are no direct financial implications arising from this report.

RECOMMENDATION/S

8. That County Council members approve the actions taken by the Section 151 Officer to date as set out in the report.

Councillor Richard Jackson

Chairman of Finance and Major Contracts Management Committee

For any enquiries about this report please contact:

Tamsin Rabbitts – Senior Accountant (Pensions & Treasury Management)

Constitutional Comments (LW 30/10/2019)

9. County Council is the appropriate body to consider the content of the report..

Financial Comments (TMR 25/10/2019)

10. There are no direct financial implications arising from this report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

Electoral Division(s) and Member(s) Affected

- All

TREASURY MANAGEMENT MID-YEAR REPORT 2019/20

1. Treasury Management Activity

1.1 The Council's treasury management strategy and associated policies and practices for 2019/20 were approved in February 2019 by Full Council. The Council manages its investments in-house and invests with institutions on its approved lending list, aiming to achieve the optimum return on investments commensurate with appropriate levels of security and liquidity.

1.2 Table 1 below provides a monthly analysis of the Council's treasury management activity to the end of September:

1.3

Table 1	Fixed Term	Fixed Term	MMF	MMF	Monthly
	Invested	Redeemed	Invested	Redeemed	Total
	£	£	£	£	£
Total b/f	0		60,300,000		60,300,000
April	0	0	69,000,000	(41,900,000)	27,100,000
May	0	0	67,900,000	(76,800,000)	(8,900,000)
June	0	0	14,500,000	(58,450,000)	(43,950,000)
July	0	0	79,000,000	(56,800,000)	22,200,000
August	0	0	56,600,000	(58,850,000)	(2,250,000)
September	0	0	72,450,000	(59,950,000)	12,500,000
Total c/f	0	0	419,750,000	(352,750,000)	67,000,000

1.4 This shows that active use has been made of the instant-access money market funds (MMFs) on the Council's counterparty list, but no use has been made of fixed-term deposits. This approach stems from having relatively low cash balances and the need to keep the Council's cash liquid. The Council continues to delay its borrowing in order to reduce the risk and cost of carrying high cash balances.

1.5 The Council's investment return (total interest receivable divided by the average outstanding principal) for the first half of the financial year was 0.74%. Over the same period the average 7 day LIBID was 0.57%.

1.6 A snapshot of the Council's money market fund investments outstanding as at 30 September is shown in the table below.

Table 2: Snapshot return on Investments	Balance	Return
	£m	%
Insight	8.6	0.71
Black Rock	2.4	0.68
LGIM	1.0	0.69
JP Morgan	20.0	0.72
Aberdeen Standard	20.0	0.74
Total	43.4	0.73

- 1.7 There were no changes made to the Council's lending criteria during the first half of the year. The lending list itself is regularly monitored, and a daily update is provided by Link, the Council's treasury management advisors.

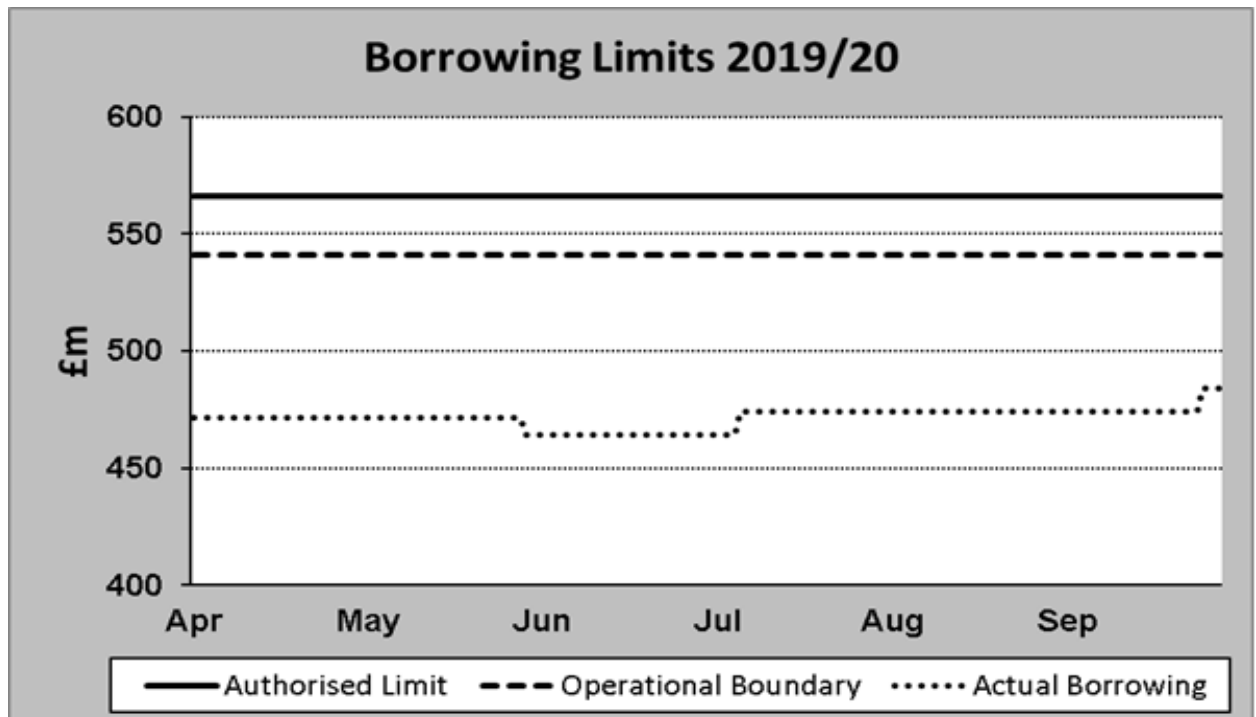
2. Long Term Borrowing

- 2.1 Over the past several years the Council has partly financed the capital programme by using its cash balances (referred to as 'internal borrowing'). This utilises earmarked reserves, general fund reserves and net movement on current assets until the cash is required for their specific purposes.
- 2.2 This strategy has the effect of postponing external borrowing, thereby making short-term savings for the Council. It also reduces credit risk since we hold lower cash balances. However, this cashable benefit has to be weighed against the risk of not borrowing and taking advantage of lower interest rates now which may increase in future. Delaying borrowing could therefore potentially lead to increased long-term costs. Therefore, it sometimes might be necessary for the Council to borrow before the cash is demanded from a simple cashflow perspective.
- 2.3 Since the Council's Treasury Management Strategy was approved in February 2019, the borrowing requirement has been revised (due mainly to slippage in the capital programme from 2018/19 to 2019/20). Two loans of £10m each have been raised from PWLB, and £7.5m of PWLB debt has matured. An update is provided in the table below:

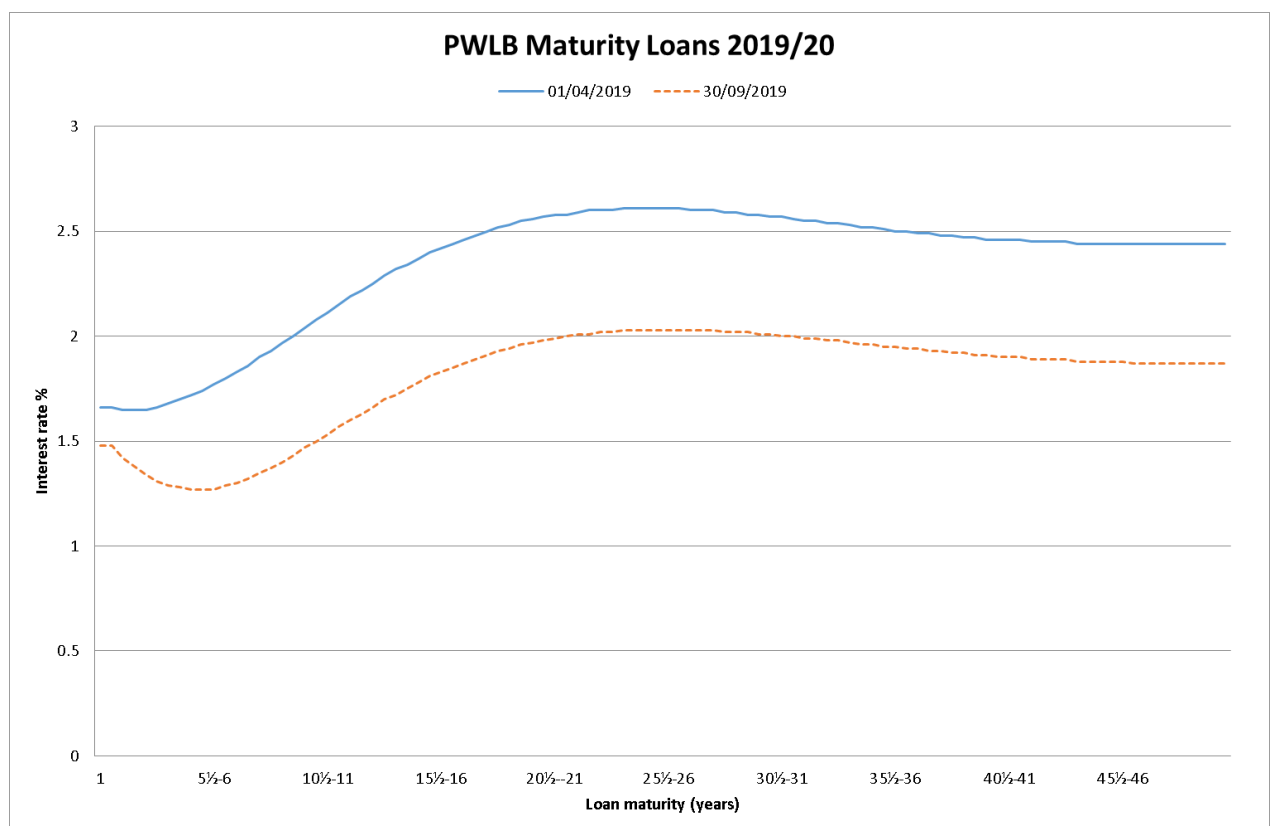
Table 3	2019/20 Estimate	2019/20 Revised
	£m	£m
Closing Capital Financing Requirement	800.0	804.1
Less:		
- Long-term liabilities	-114.0	-114.9
- Existing borrowing	-457.8	-477.8
- Cap Ex to be financed by borrowing (a)	-44.9	-66.0
- Replenishment/Replacement borrowing (b)	38.4	44.0
Internal borrowing (A)	221.6	189.3
Cash and cash equivalents	20.0	20.0
Fixed investments	0.0	0.0
Y/E investment balances (B)	20.0	20.0
Cash deployed (A+B)	241.6	209.3
Cumulative minimum borrowing requirement (a+b)	6.6	22.0

- 2.4 This table shows that by the year-end the Council expects to be under-borrowed by approximately £189m relative to its Capital Finance Requirement. It also indicated that further borrowing of around £22m will be required during 2019/20. However, if interest rates for borrowers appear favourable, or if cashflow dictates, then an amount greater than this may be taken. Conversely, slippage in the capital programme may reduce the amount of borrowing required.

- 2.5** The chart below shows how current borrowing compares with the prudential indicators and shows that borrowing has been managed within these limits. The operational boundary for 2019/20 was set at £541m and the authorised limit at £566m.



- 2.6** The following chart shows that PWLB interest rates have decreased over the first half of the financial year. This decrease included a degree of instability due to Brexit.



- 2.7** Since the end of the period in early October 2019, PWLB took the decision to increase rates by 100 basis points across the board. In other words, for every £1m borrowed an additional £10,000 per annum will be charged in interest fees.
- 2.8** Treasury officers, assisted by the Council's treasury management advisors, continue to monitor rates from PWLB and the market with a view to borrowing when these become relatively favourable.

REPORT OF THE CHAIRMAN OF GOVERNANCE AND ETHICS COMMITTEE**REVIEW OF COUNCIL CONSTITUTION – COUNCIL AND COMMITTEE
PROCEDURE RULES****Purpose of the Report**

1. To approve the proposed revisions to the procedure rules for meetings of Full Council and County Council committees and sub-committees as set out in Appendices A and B.

Information

2. At its meeting on 16 May, Full Council commissioned the Monitoring Officer to undertake a review of the Council's Constitution, subject to Governance and Ethics Committee approving the scope of the review and having oversight of the project throughout.
3. The objective of the review is to modernise the Constitution and ensure it is clear and user-friendly for all and facilitates the smooth and efficient running of meetings to ensure that business is completed wherever possible. Governance and Ethics Committee considered the scope of the review at its meeting on 12 June; and a phased approach was agreed with emphasis given to Full Council and Committee procedure rules in the first instance. As a result, the initial stage of the work has focussed on these elements.
4. An officer working group was established to undertake this work and present proposals for further discussion at Governance and Ethics Committee. Initially this involved identifying a set of principles to underpin the review. These include:
 - Ensuring legal compliance and sound decision making
 - Following the principles of democracy
 - Good meeting planning and management to ensure Council business is transacted
 - Efficient and more business-like meetings
 - Value for money
 - Modernisation of the Council's Constitution to reflect best practice
 - Ensuring the Constitution is clear, unambiguous and easy to use and understand for all.
5. In developing the proposed changes to the meeting procedure rules for Full Council and County Council committees, feedback from County Councillors and Officers gathered over time has been taken into consideration. Arrangements were made to discuss the proposals as they developed with each of the group leaders. Informal discussions took place with the group leaders and group business managers for the two main political groups and the Mansfield Independents as well as non-aligned and independent Councillors prior to consideration of the proposals by Governance and Ethics Committee.

6. A benchmarking exercise and comparison with other local authorities has been undertaken to identify best practice and learn from other local authorities. This is reflected in the proposals. The best practice recommendations from the most recent report of the Committee for Standards in Public Life have also been considered. Where necessary legal advice has been sought to provide clarification on specific aspects of the Constitution.

Outcomes following Governance and Ethics Committee

7. On 6th November Governance and Ethics Committee considered a report on the draft Council Procedure Rules and Committee Procedure Rules. A 'tracked changes' version of each set of procedure rules was provided to the Committee for detailed discussion and consideration in addition to "clean" copies of the documents. The Group Leaders for the two main groups attended and spoke at the meeting. Two of the Council's three Independent Person's also attended the meeting.
8. The Governance and Ethics Committee discussed the proposals, raised several queries and potential issues and agreed that a separate meeting be set up to discuss in more detail any proposed changes to the procedure rules. It was agreed that the following would be invited to the meeting – the Committee Chairman, the Group Business Managers for all groups, and the non-aligned Councillors. This was with a view to finalising proposals for revised Council and Committee Procedure Rules for consideration by Full Council.
9. The meeting was held on 13 November, with the Committee Chairman, Conservative Business Manager, Labour Business Manager and Councillor Stephen Garner. Councillors Carr and Dobson submitted their apologies to the meeting and confirmed that they had made their comments either at Governance and Ethics Committee and/or to the Monitoring Officer respectively. The Group Business Manager for the Ashfield Independents also sent her apologies. Councillor Madden was invited in her place as she was in County Hall for another meeting. Councillor Madden confirmed that she had made her comments at Governance and Ethics Committee and had nothing to add at that point.
10. The meeting considered all the matters raised at Governance and Ethics Committee and any additional items members wished to raise. Different options were discussed including suggested ways forward in respect of the points raised. The changes discussed have now been reflected in the revised procedure rules attached as Appendices A and B. Revised drafts of the proposed documents were circulated to the same group for final review in advance of the documents being published for Full Council.

Proposed amendments to the Council and Committee Procedure Rules

11. The draft Council and Committee Procedure Rules considered by Governance and Ethics Committee on 6 November, amended to reflect the discussions at the meetings on 6 and 13 November, are attached as **Appendix A** and **Appendix B**. The proposed substantive changes are shown as underlined.
12. A summary of the main changes now proposed following all the above discussions and meetings is as follows: -

- a. **A more structured meeting agenda** – it is proposed to set time limits for each section of the agenda to enable the business to be concluded at that meeting wherever possible. This includes a new introductory section setting the context for Full Council Meetings and reinforcing the requirements of the Code of Conduct for Councillors and Co-Opted Members, Nolan Principles and requirements of the procedure rules in relation to behaviour of Councillors. This is also referenced elsewhere in the procedure rules as several Councillors raised this as a matter requiring further clarification.
- b. **Arrangements for meetings section** – it was originally proposed to remove paragraphs 7 and 8 as elements of these were out of date. Following a request at Governance and Ethics Committee and discussions at the Group Business Manager meeting these have been added back into the Full Council Procedure Rules but have been updated to more accurately reflect the actual number of Council meetings in line with the Council diary. Paragraph 3 of the Committee Procedure Rules has also been added back in for the same reason.
- c. The majority view during the discussions was that the Full Council meetings should finish by 5.30pm at the latest. Additional wording has been added to ensure that matters under discussion at the end of the meeting are moved to the vote so that the meeting finishes on time. It was suggested by one member at Governance and Ethics Committee that a provision could be added to allow for the extension of the meeting beyond 5.30pm by up to a further 15 minutes but this was not broadly supported. The provision to extend the Budget Meeting until 8.00pm if necessary is retained (see below).
- d. **Absences and Apologies** – the arrangements have been clarified including the requirement for a Councillor to be present for any questions or constituency issues they have submitted or motions they have moved or seconded to be considered. Any absence of more than 10 minutes for a Full Council meeting may now be recorded. For the Committee Procedure rules the arrangements for substitutions has been included as requested by Group Business Managers.
- e. **Declarations of interest** (Council and Committee Procedural rules) – as requested the reference to if a Councillor has left the room after declaring an interest and remains in easy reach they will be recalled by an officer before further business is started has been reinstated.
- f. **Constituency speeches** – a reduction to the time limit to 15 minutes is proposed to reflect the fact that on looking back over the last couple of years these have always concluded within 15 minutes. The length of time for which an individual Councillor may speak remains the same as currently.
- g. **Petitions** – a time limit of 15 minutes is also proposed for this item but the length of time for which a Councillor may speak and the order these will be considered is unchanged. However, if more petitions are received any not presented within the time limit will be accepted en bloc by the Chairman and referred to the relevant Committee for consideration without delay.
- h. **Motions and questions** – criteria are proposed to clarify and provide a clearer understanding of what a valid motion and question is. The criteria proposed reflect legal

requirements and the constitutions of several other councils reviewed as part of the benchmarking exercise; including many local district councils.

- i. **Questions** – there was a great deal of discussion on this area at Governance and Ethics Committee and in the meeting with Business Managers as follows:
- The general view was to leave the order of questions at the Chairman's Discretion although one Councillor did suggest an alternative.
 - The view during the discussions was generally to express the time for questions as one hour in total including the Fire Authority Questions. Therefore, if there are more Committee Chairmen questions and no Fire Authority questions Committee Chairmen questions could take the full hour.
 - Supplementary questions – this will remain as proposed with one supplementary question permitted from the original questioner only to provide adequate time for questions to be answered properly during the allocated time. This is in line with many of the Constitutions considered from elsewhere – including many of the local District Councils.
 - Adjournment debate – to be removed from the Constitution as proposed as it has not been frequently used, has no clear outcomes for the debate and does not feature in the constitution of many other councils.
 - Length of answers to questions – the potential for a time limit on answers was discussed. It proved difficult to balance this with the fact that some questions are more complex and need more time to respond to ensure a full and appropriate response is received. It would also be difficult to manage at the meeting if the time limit were to include the supplementary question and response as suggested during the discussions. On balance this section has been left as it is currently with no time limit. However, Democratic Services have agreed to work with groups on the drafting of questions and possible responses to make them as focussed and to the point as possible.
 - Clarification has now been provided that a written response will be provided to questions which fall or are not dealt with at the meeting.
 - This section has been retitled Questions rather than Question Time as originally suggested.
 - Questions will be submitted one day earlier than currently to determine that they meet the proposed criteria.
- j. **Business Reports** – there was no disagreement about a time limit being proposed for this section to enable good management of the meeting and different timescales were considered. On balance, the time limit will remain at 60 minutes as originally proposed.
- k. **Motions** – these will be required to be submitted at a slightly earlier date (eight clear working days in advance) to allow time to consider their validity in line with the proposed criteria and seek legal advice if necessary. To date no concerns regarding the change in deadline have been raised.

Following discussions, paragraph 58 has been strengthened to confirm that motions carried forward to the next meeting will be the first motions to be considered at the relevant part of the agenda.

Clarification has been provided on alterations and amendments to motions and procedural motions to ensure that the meetings run smoothly.

- i. **Rules of debate** – The mover and seconder of a motion may speak for 10 minutes when moving a motion. The time limit for other Councillors to speak during a debate at full Council has been reduced from 10 minutes to 5 minutes to enable more speakers during a debate. The time limit for speeches at the Annual Budget Meeting remains the same as currently.
- m. **Voting** – as suggested, the proposed Council Procedure Rules has been amended to make it easier for officers to count the vote and reflect the comments in the new introduction to the Council Procedural rules that Councillors must remain seated *in their designated seat*. Reference to the Division Bell has also been reinserted as requested in paragraph 91a.
- n. **Annual budget meeting** – following discussion, the wording will remain as in the current Constitution with the option to continue until 8pm if necessary. The rules for debate at the Budget Meeting remain as set out in the current procedure rules.
- o. **Extraordinary meetings** – clarification of the arrangements. The arrangements have been moved to a separate section at the end of the Council Procedure Rules along with the arrangements for the Annual Meeting and the Annual Budget Meeting for ease of access.
- p. **Procedural rules for Committees** – the changes to the procedural rules of Full Council have been reflected as appropriate for Committees and Sub-Committees to ensure consistency of approach and use of language. At the meeting on 13 November the timescales for Committee Chairmen to speak was clarified. The proposed position in relation to substitute members for a meeting and permanent appointments to Committees as set out in the draft document was also clarified.

Future phases of the Constitution Review

- 13. Work on the other aspects of the review is ongoing and will result in further reports to Governance and Ethics Committee and Full Council for consideration as work is progressed and completed. Subsequent phases of work will involve review of the scheme of delegation to officers and aspects of the financial regulations. Members of the Governance and Ethics Committee have also requested that Committee terms of reference and the operation of Committees be considered as reflected in the Peer Review feedback. It is also intended to undertake a more in-depth review of the Pensions Board and Pensions Committee and their operation in relation to the Local Government Pension Scheme across the whole of Nottinghamshire.

Other Options Considered

- 14. A wide range of alternative options and proposals were discussed and considered by the Officer Working Group, in informal discussions with Members, at Governance and Ethics Committee and the subsequent meeting of Group Business Managers. These included:
 - a. No change was considered but given that Full Council has commissioned the work and there appeared to be broad agreement that some changes are required to clarify and tighten up the rules this was not considered a viable option.

- b. It might be possible to review all aspects of the Constitution at once rather than the phased approach focussing on priority areas first which was previously agreed by Governance and Ethics Committee. This would have resulted in delay in implementing some of the changes which the Governance and Ethics Committee and Full Council felt were most important.
- c. Limiting the duration of Council meetings to just three hours which is an approach adopted by a number of authorities. It was felt that this may result in insufficient time for consideration and debate of all relevant items on a County Council agenda.
- d. Further limiting the timescales for the early part of the agenda was also suggested by some Councillors.
- e. Limiting the time available for any Motion to a maximum time (e.g. 30 minutes) was suggested but it was felt that this may unnecessarily limit the time available for debate on an item.
- f. Limiting the number of motions per political group, independent or unaligned Councillors was also suggested but not pursued.
- g. Limiting the time allowed for Committee Chairmen to respond to an individual question to ensure that more questions are dealt with in the meeting. This would need to be balanced with ensuring enough time is allowed for a full and sufficiently detailed answer to be provided. The meeting of Group Business Managers discussed this option at length but was unable to identify a way in which this could be implemented fairly and proportionately whilst being sufficiently flexible to reflect the different length, nature and complexity of questions.
- h. Not restricting the number of supplementary questions or restricting it to two supplementary questions, for example, was considered. There was a general view that this was not intended to be an opportunity for wide ranging debate and most other Constitutions reviewed had a limit of one supplementary question. Therefore, this is the option proposed.
- i. Changing the time limit for the Annual Budget Meeting to also finish at 5.30pm was proposed to Governance and Ethics Committee but on balance, following discussion, the current provision in the procedure rules to extend the Budget meeting to 8.00pm if necessary was retained to ensure adequate time for debate.
- j. Various options were discussed to ensure that adequate support is provided to the Chairman in managing Full Council meetings.

Reasons for Recommendations

15. To modernise the County Council's Procedure Rules for Full Council, Committees and Sub-Committees ensuring that the Constitution is clear and user-friendly for all; to facilitate the smooth, efficient and more business-like running of meetings.

Statutory and Policy Implications

16. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATIONS

- 1) That Full Council approves the draft revised Procedure Rules for meetings of Full Council and draft revised Procedure Rules for Committee and Sub-Committee meetings as set out in **Appendices A and B** for implementation from 1 January 2020 and that the Constitution be amended accordingly.
- 2) That the authority be delegated to the Council's Monitoring Officer to make any necessary consequential amendments to the Constitution.

Councillor Bruce Laughton
Chairman of the Governance and Ethics Committee

For any enquiries about this report please contact:

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Constitutional Comments (HD 10/12/2019)

17. Full Council has the authority to determine the recommendations set out in the report.

Financial Comments (RWK 05/12/2019)

18. There are no specific financial implications arising directly from the report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- Report to County Council 16 May 2019 ([published](#))
- Report to Governance and Ethics Committee 12 June 2019 ([published](#))
- Nottinghamshire County Council Constitution ([published](#))
- Report to Policy Committee 16 October 2019 ([published](#))
- Report to Governance and Ethics Committee 6 November 2019 ([published](#))

Electoral Division(s) and Member(s) Affected

- All

APPENDIX A

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 108 below.

ARRANGEMENTS FOR MEETINGS

7. Full Council meetings are normally held 6 times per year, of which one is the annual meeting and one is the annual budget meeting. The meetings are normally held on a Thursday starting at 10.30am.
8. The agenda and papers for meetings of the Full Council must be available at least five clear working days before the meeting.

9. Meetings of the Full Council will not continue beyond 5.30pm. 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. The annual budget meeting will continue beyond 5.30pm if necessary but not beyond 8.00pm. If the meeting has not concluded before that time a vote will be taken on the budget at 8.00pm and the budget will not be carried forward as an item to the next available meeting.
10. Details of arrangements for an extraordinary meeting are set out in paragraphs 109 - 111.

MINIMUM ATTENDANCE (QUORUM)

11. At least one quarter (17) of the whole number of elected County Councillors must be present for the meeting to proceed or continue.
12. 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.

ORDER OF BUSINESS

13. 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

Questions (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

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

15. 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.

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

17. Lunch will normally be taken at 12.30pm.

ABSENCES AND APOLOGIES

18. 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 be deemed to have fallen at the point the apology is given.

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

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

20. 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.

21. 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

22. 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.

23. 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.

24. If the Councillor has chosen to remain within easy reach, that Councillor will be recalled by an appropriate officer before any further business is started.

25. 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

26. 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.
27. Such a speech will not give rise to a debate on the issue or a question and answer session.
28. 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.
29. 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

30. 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.
31. 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.
32. 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.
33. The Councillor presenting the petition can introduce and speak about the petition for up to one minute.
34. If a Councillor is unable to be at the meeting, they may request and agree to another Councillor presenting a petition on their behalf.

35. 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.
36. Different procedures apply to some petitions as set out in the Council's petition scheme.
37. 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.
38. 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

39. Reports are introduced by the relevant committee chairman.
40. 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.
41. Statutory officer reports will be moved by the Chairman of the County Council and seconded by the Vice-Chairman of the County Council.

QUESTIONS

42. 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.
43. 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 by 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.
44. The Monitoring Officer will rule a question invalid and give reasons, if a submitted question does not comply with the provisions in paragraph 43.
45. A maximum of 60 minutes is allowed for questions, with up to 15 minutes of time allocated for questions to the Chairman of Nottinghamshire and City of Nottingham Fire Authority and the remaining time for questions to Committee Chairmen.
46. Once the 60 minutes for questions has been reached any remaining questions to Committee Chairmen 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.
47. 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.
48. 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.
49. A submitted question cannot be altered after the deadline.
50. The order in which questions are put at the meeting will be determined by the Chairman.
51. After receiving an answer from the relevant Committee Chairman, or their nominee, the Councillor asking the original question may ask one supplementary question on the same matter.
52. The same supplementary question procedures apply to questions to the Chairman of the Fire Authority.
53. 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 to ask their question, including where the Councillor has submitted their apology for absence, 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

54. 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

55. 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 in writing no later than 10 am eight 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. Valid motions will be included in the agenda for the meeting in the order of receipt.

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

57. 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.

58. 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 and will be dealt with ahead of other motions on that agenda.

Scope of motions on notice

59. 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.
60. The Monitoring Officer will reject a proposed motion as invalid, giving reasons if it does not comply with the provisions in paragraph 59.

THE RULES OF DEBATE

61. 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.
62. If a Councillor wishes to speak they should indicate their intention by raising their hand.
63. 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 procedure rules apply.
64. Councillors can speak for a maximum of 5 minutes each time they are entitled to speak during a debate subject to paragraph 61 and the exception at the Annual Budget meeting.
65. Councillors will stand when speaking and must address the Chairman. Other Councillors will be respectful of and not interrupt the Councillor who is speaking.
66. Councillors must speak strictly to the subject under discussion.
67. Councillors may speak once on any motion and once on each amendment.
68. If the motion has been amended since a Councillor last spoke, that Councillor may move a further amendment to the motion.
69. Whenever the Chairman stands during a debate any Councillor standing must sit down and the Full Council must be silent.
70. 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.

71. 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.

72. 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

73. 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.

74. 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.

75. 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

76. Amendments to a motion can be moved or seconded by any Councillor following the process set out in paragraph 82 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 59 and must be relevant to the original motion.

77. The Monitoring Officer may reject a proposed amendment as invalid if it does not comply with the provisions set out in paragraph 59. The Chairman may adjourn the meeting to seek appropriate advice to confirm validity of the amendment.

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

79. 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 108.

80. 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

81. 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 83)
- 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

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

BRINGING DEBATE TO EARLY CLOSURE

83. 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.

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

85. If the vote is carried the motion or amendment will be put to the vote following closing remarks as set out in the rules of debate.

POINTS OF ORDER AND PERSONAL EXPLANATIONS

86. 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.

87. The Chairman of the County Council's ruling will be final and they may limit such exchanges to maintain the flow of debate.

VOTING

88. Votes in Full Council are to be determined by a show of hands.

89. When a vote is being called Councillors must remain quiet, seated in their designated seat, and clearly hold their hand up to cast their vote and keep it up until the Chairman tells Councillors the vote has concluded.

90. Where there is an equal number of votes for and against a motion the Chairman can exercise a second (casting) vote.

91. 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 108 below. The process will be as follows:

- a. The Division Bell will be sounded.
- b. The Chief Executive will then call the names of all Councillors and record the vote of each Councillor.
- c. The Chairman will announce the result.
- d. The minutes will record how each Councillor voted.

92. Whilst the recorded vote is being taken, Councillors must remain quiet, seated in their designated seat, and, when called by the Chief Executive, use the microphone provided to give their vote.

93. Any Councillor can require that the minutes of the meeting record how they voted on any decision taken.

REVERSING DECISIONS

94. 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 with the agreement of the Council's Chairman and Vice-Chairman.

DISORDERLY CONDUCT

95. 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 and in compliance with the Council's Procedure Rules. 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.
96. If, at any meeting, any Councillor in the opinion of the Chairman of the County Council is in breach of paragraph 95 the Chairman will warn the Councillor about their behaviour.
97. If following any warning a Councillor continues to breach paragraph 95 the Chairman may move "that [the Councillor named] should not be further heard" and, if seconded, a vote will be taken without discussion.
98. 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
99. 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

100. 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

101. 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
102. The Full Council is required to keep the allocation of seats to groups under review.
103. 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.
104. Democratic Services will ensure that all appointments to committees are reported to the next meeting of the appropriate committee.
105. Any permanent changes in membership must be notified to the Governance Team in Democratic Services no later than 4pm the working day before the relevant meeting. Substitution rules are set out in the Procedure Rules for Committee and Sub-Committee Meetings.

ANNUAL MEETING

106. 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

107. 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

108. 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 91 above.

EXTRAORDINARY MEETINGS

109. 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.

110. The only business permitted at an extraordinary meeting is that which the meeting has been called to consider.

111. 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

112. 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.
113. 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.
114. 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.
115. Mobile phones and other electronic devices must be switched to silent.

APPENDIX B

PART B – PROCEDURE RULES FOR COMMITTEE AND SUB-COMMITTEE MEETINGS

INTRODUCTION

1. These rules are designed to ensure meetings run smoothly and are conducted properly.
2. So far as the law allows any of these rules may be suspended at any meeting, 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.

ARRANGEMENTS FOR MEETINGS

3. The agenda and papers for meetings must be available at least five clear working days before the meeting.
4. A special meeting is arranged if the chairman or vice-chairman of the relevant committee, or any 4 of its members request such a meeting.
5. If any issues arise at a meeting in relation to interpretation of the procedure rules, the Chairman's decision will be final.

MINIMUM ATTENDANCE (QUORUM)

6. The following number of committee members must be present for the meeting to proceed or continue:
 - a. Less than 15 voting members 3
 - b. 15 to 25 voting members 4
 - c. More than 25 voting members 5
7. If there is an insufficient number of committee members present, the meeting will not proceed.

ORDER OF BUSINESS

8. The order of business will usually be:
 - a. at the first meeting after the annual Council meeting, appointing or noting the appointment of the Chairman and Vice-Chairman of the committee
 - b. the choice of a person to preside if the Chairman and Vice-Chairman are absent
 - c. confirmation of the minutes of the last meeting of the committee
 - d. apologies for absence, including reasons

- e. declarations of interest
- f. business outstanding from the last meeting
- g. reports for decision by committee
- h. reports for information
- i. work programme (if applicable)

OTHER POINTS REGARDING THE ORDER OF BUSINESS

- 9. At any time during the meeting the Chairman can adjourn the meeting.
- 10. The order of business can be varied at the discretion of the Chairman.
- 11. The minutes of ordinary meetings will not normally be confirmed at special meetings.

APOLOGIES FOR ABSENCE

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

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

DECLARATIONS OF INTEREST

- 13. 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.
- 14. 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 a committee or sub-committee and is not itself the subject of debate.
- 15. If the Councillor has chosen to remain within easy reach, that Councillor will be recalled by an appropriate officer before any further business is started.
- 16. Subject to paragraph 17, 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.

17. Paragraph 16 above does not apply to members of the public who are entitled to speak at Planning and Licensing Committee.

CONSIDERATION OF RECOMMENDATIONS IN REPORTS AND THE RULES OF DEBATE

18. The report recommendation should be 'moved' by one committee member and 'seconded' by another committee member. It then becomes a 'motion' which may be debated before a vote is taken. The mover and seconder of the motion may speak for a maximum of 10 minutes when moving the motion. Where a report contains more than one recommendation they will be moved as a single motion for debate.
19. Motions relating to the following may be moved and seconded without notice, the Chairman may require the motion to be put in writing to ensure clarity of the motion being considered:
 - a. alterations to motions
 - b. amendments to motions
20. If a Councillor wishes to speak they should indicate their intention by raising their hand.
21. The Chairman will decide the order in which speakers will be heard. Any committee member who wishes to speak will be given the opportunity to do so unless any of the exceptions contained in these procedure rules apply.
22. Councillors can speak for a maximum of 5 minutes each time they are entitled to speak during a debate subject to paragraph 18.
23. Councillors when speaking must address the Chairman. Other Councillors will be respectful of and not interrupt the Councillor who is speaking.
24. Councillors must speak strictly to the subject under discussion.
25. Councillors may speak once on any motion and once on each amendment.
26. If the motion has been amended since the Councillor last spoke, that Councillor may move a further amendment to the motion.
27. Whenever the Chairman stands during a debate the committee must be silent.
28. Any committee member 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.
29. The committee member 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.

30. 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

31. An alteration is where the motion is changed by or with the agreement of the mover and 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.
32. 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.
33. An alteration can only be made if it would be accepted as a valid amendment. The Chairman may require the alteration to be put in writing to ensure clarity of the motion being considered. 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
34. Amendments to a motion can be moved or seconded by any committee member, following the process set out in paragraph 19 to leave out words, to add words or both provided that 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) and must be relevant to the original motion.
35. Amendments must:-
- a. be asking the Council to make a decision which is lawful;
 - a. 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;
 - b. not be defamatory, frivolous or offensive;
 - c. not reverse a decision taken by the Council in the past six months;
 - d. not require disclosure of confidential or exempt information; and
 - e. include appropriate and sufficient information to enable Councillors to make a lawful decision for example legal, financial, statutory or policy implications.

36. The amendment may be rejected if it does not comply with the provisions set out in paragraph 35. The Chairman may adjourn the meeting to seek appropriate advice to confirm the validity of the amendment.
37. If a valid amendment is accepted by the mover of the original motion, no debate or vote will be required and it will become an alternation to the motion and will become the altered (substantive) motion.
38. Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been voted on.
39. If a valid 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 motion (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 amended motion (substantive motion)

MOTIONS NOT REQUIRING PRIOR WRITTEN NOTICE

40. 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. an amendment to a motion (the Chairman may require the amendment to be put in writing to ensure clarity of the amendment being considered)
 - d. 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 41)
 - e. that the meeting be adjourned
 - f. variation of the order of business
 - g. suspension of a specific procedure rule (giving the procedure rule number to be suspended and the reason)
 - h. exclusion of the public

- i. that a named committee member should not be heard further

BRINGING DEBATE TO EARLY CLOSURE

- 41. A committee member who has not already spoken on the matter may orally move a motion that a vote should be taken immediately. This must be seconded.
- 42. If the Chairman feels there has been sufficient discussion of the issue he may put the oral motion to the vote.
- 43. If the vote is carried the motion or amendment will be put to the vote following closing remarks as set out in the rules of debate.

POINTS OF ORDER AND PERSONAL EXPLANATIONS

- 44. With the consent of the Chairman any committee member 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 this.
- 45. The Chairman's ruling on this will be final and they may limit such exchanges to maintain the flow of debate.

VOTING

- 46. Votes in committee are to be determined by a show of hands.
- 47. When the 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.
- 48. Where there is an equal number of votes for and against a motion the Chairman can exercise a second (casting) vote.
- 49. A recorded vote will be taken if 2 or more committee members request it by a show of hands. The process will be as follows:
 - a. The names of all committee members will be called and the vote of each member recorded.
 - b. The Chairman will announce the result.
 - c. The minutes will record how each committee member voted.
- 50. Whilst the recorded vote is being taken, Councillors must remain seated and quiet in the meeting room and, when called, use the microphone (if provided) to give their vote.

51. Any committee member can require that the minutes of the meeting record how they voted on any decision taken.

REVERSING DECISIONS

52. Committee 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 the original decision-making meeting for further consideration with the agreement of the Committee's Chairman and Vice-Chairman.

DISORDERLY CONDUCT

53. Councillors are expected to act in a reasonable and professional manner at committee meetings, in accordance with the Code of Conduct for Councillors and Co-opted Members and in compliance with the Council's Procedure Rules. 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 meeting.
54. If, at any meeting, any Councillor in the opinion of the Chairman is in breach of paragraph 53 the Chairman will warn the Councillor about their behaviour.
55. If following any warning a Councillor continues to breach paragraph 53 the Chairman may move "that [the Councillor named] should not be further heard" and, if seconded, a vote will be taken without discussion.
56. 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 for any period considered necessary
57. 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 relating to the recording or reporting of the meeting which disrupts the conduct of the meeting or impedes other members of the public.

ATTENDANCE OF OTHER COUNTY COUNCILLORS

58. Any County Councillor who wishes to attend a meeting of a committee or sub-committee of which they are not a member will be entitled to do so. With the consent of the Chairman they will be entitled to speak once and for a maximum of 5 minutes on any matter that is of primary importance to their electoral division or its inhabitants rather than a general matter, but not to vote.

59. A County Councillor who attends a meeting in this capacity will be entitled to remain in the meeting when a resolution excluding the public is in force.

60. These provisions apply to Planning and Licensing Committee, subject to its Code of Best Practice, but not to any other committee or sub-committee that is exercising a function which is judicial in nature.

APPOINTMENTS TO COMMITTEES

61. Any permanent changes in membership must be notified to the Governance Team in Democratic Services no later than 4pm the day before the relevant meeting.

62. Democratic Services will ensure that all appointments to committees are reported to the next meeting of the appropriate committee.

SUBSTITUTE MEMBERS

63. Where a council member of a committee is listed as a member of a Political Group of the Council for the purposes of allocating committee seats, all other listed eligible members of that Group who are not members of that committee are appointed as substitute members with entitlement to attend, speak and vote in the event that the appointed member is absent from the meeting. The substitute will not be able to exercise any special powers or duties exercisable by the person they are substituting.

64. Only the first eligible substitute to declare at the meeting may replace the absent member. The identities of the substitute and of the absent member, and the reasons for apology from the absent member shall be declared at the outset of the meeting and recorded in the minutes.

65. Named substitutes will be required for the committees set out in Part 4, Paragraph 3 of the Constitution where there is a specific training requirement.

POLICY COMMITTEE, COMMUNITIES AND PLACE COMMITTEE AND HEALTH SCRUTINY COMMITTEE

66. When exercising statutory scrutiny functions, the Committee may invite people to discuss issues of local concern and/or answer questions. They may for example wish to hear from residents and representatives of other organisations.

HEALTH AND WELLBEING BOARD

67. Substitute members can be appointed for the non-County Council representatives. Substitute members will have all the powers and duties of any ordinary member on the Board but will not be able to exercise any special powers or duties exercisable by the person they are substituting. Substitute members may attend meetings in this capacity only:-

- a. To take the place of the ordinary member for whom they are substituting where the ordinary member will be absent for the whole of the meeting

- b. After the Proper Officer has been officially notified in writing by the organisation wishing to make the substitution.

PLANNING AND LICENSING COMMITTEE

68. The Committee will comply with its Code of Best Practice

69. The Committee's Code of Best Practice sets out who is entitled to speak at meetings of Planning and Licensing Committee.

PERSONNEL COMMITTEE

70. Trade Union representatives will be entitled to speak, but not to vote at meetings of Personnel Committee.

GOVERNANCE AND ETHICS COMMITTEE

71. The Council's Procedure for Dealing with Conduct Allegations sets out who is entitled to speak on items relating to Councillor Conduct at meetings of Governance and Ethics Committee.

OTHER

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

73. Members of the public should remain seated during any debate and not do anything to endanger the health and safety of any person.

74. 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.

75. Mobile phones and other electronic devices must be switched to silent.