

Meeting Procedure Rules

The Council is required by law to have procedural rules that govern proceedings at decision making meetings. For the purposes of these Rules a Sub-Committee does not include a Task and Finish Group or Advisory Group.

These Rules set out how meetings of the Council and most Committees will be conducted, for example, who can speak, when and how proposals are debated.

PART A – COUNCIL MEETINGS

1. COUNCIL MEETINGS

- 1.1. The Council will decide when its meetings will take place. Details will be contained in a calendar of meetings which will be approved by the Council.
- 1.2. Meetings will commence at 7.00pm at a place (or places) to be agreed by the Council. The Chair, or the Council, can agree to hold a meeting at a different place or time.

2. ANNUAL MEETING OF THE COUNCIL

2.1. Timing

- 2.1.1. In a year when there is an Ordinary Election of Councillors, the Annual Meeting shall take place within 21 days from the retirement of the outgoing Councillors. In any other year, the Annual Meeting shall take place on such a day in the month of May or June as the Council may fix.

2.2. Business

2.2.1. The Annual Meeting shall:

- a) elect the Chair of Council who shall then preside;
- b) Appoint the Vice-Chair of Council;
- c) approve the minutes of the last meeting;
- d) receive any declarations of interest from Councillors;
- e) receive any apologies for absence from Councillors;
- f) receive any announcements from the Chair;
- g) elect the Leader in any year in which the Leader's term of office

expires (for a four-year term), or if the office of Leader becomes vacant, the term of office of the Leader shall, subject to earlier removal, end on the day of the Annual Meeting following the ordinary election of councillors;

- h) note the appointments to the role of Deputy Leader and to the Executive;
- i) receive any announcements from the Leader;
- j) appoint a Scrutiny Committee, a Standards Committee, an Audit Committee and such other Committees as the Council considers appropriate and as are required by law;
- k) approve a programme of ordinary meetings of the Council for the year;
- l) approve the allocation of seats to Political Groups in accordance with the political balance rules;
- m) delegate to the Monitoring Officer the power to appoint councillors (including substitutes) to committees and sub committees in accordance with the wishes of the Group Leaders except where appointments to those bodies is exercisable only by the Executive.

3. ORDINARY MEETINGS OF THE COUNCIL

3.1. Ordinary meetings of the Council shall take place in accordance with a programme decided at the Council's Annual Meeting. Ordinary meetings shall:

- a) elect a person to preside if both the Chair and the Vice-Chair of the Council are not present;
- b) approve the minutes of the last meeting;
- c) receive any declarations of interest from Members;
- d) receive any announcements from the Chair and Leader;
- e) provide for up to 15 minutes in total, to receive any statements from members of the public who are residents of, or working in, North Northamptonshire relating to an item of business on the public part of the agenda of that meeting;
- f) provide for up to 15 minutes in total, including the provision of responses, to receive any questions from members of the public who are residents of, or working in, North Northamptonshire relating to matters of which the Council has direct responsibility or influence;
- g) provide for up to 30 minutes in total, including the provision of

responses, to receive any questions from Councillors relating to matters of which the Council has direct responsibility or influence;

- h) Provide for members of the Executive to put forward presentations relating to their respective portfolios and upon which Members will be able to ask them questions;
- i) deal with any business adjourned from the last Council meeting;
- j) receive a report from any Committees as appropriate;
- k) consider motions given by notice; and
- l) consider any other business specified in the summons to the meeting, including consideration of proposals from the Executive in relation to the Council's Budget and Policy Framework.

4. BUDGET MEETING OF THE COUNCIL

4.1. Budget meetings shall:

- a) Appoint a person to preside if the Chair and Vice-Chair are not present;
- b) Approve the minutes of the last meeting;
- c) Receive any declarations of interest from councillors;
- d) Receive announcements from the Chair;
- e) receive any statements from members of the public who are residents of, or working in, North Northamptonshire relating to an item of business on the public part of the agenda of that meeting;
- f) Receive and consider the Council plan, budget and associated necessary reports; and
- g) Receive any other urgent business as agreed by the Chair;
- h) Follow the **Budget Council meeting protocol** attached as Appendix 1 to these rules.

5. EXTRAORDINARY MEETINGS

5.1. Calling Extraordinary Meetings

- 5.1.1. The Monitoring Officer may call and those listed below may direct the Monitoring Officer to call extraordinary Council meetings in addition to

ordinary meetings:

- a) the Council by resolution;
- b) the Chair of the Council; or
- c) any five Councillors if they have presented a signed requisition to the Chair of the Council and they have refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

5.2. Motion to remove the Leader

5.2.1. A motion to remove the Leader from office may only be:

- a) made at an extraordinary meeting convened specifically for that purpose not less than 21 days from the submission of the motion;
- b) submitted in the form of a requisition signed by not less than one third of the total number of Members of the Council; and
- c) considered on one occasion by the Council in any six-month period.

5.2.2. Where the Council passes a resolution to remove the Leader, a new Leader is to be elected at the meeting at which the Leader is removed from office.

5.3. Items of Business at Extraordinary Meetings

5.3.1. Only business specified in the summons may be transacted at an extraordinary meeting of the Council.

6. CHAIR AND VICE-CHAIR OF THE COUNCIL

6.1. The Chair of the Council, or in his/her absence the Vice-Chair (who will have the same powers and duties as the Chair), will preside at meetings of the Council. Where both the Chair and Vice-Chair are absent, the Council will appoint another Councillor, other than a member of the Executive, to chair the meeting, who will have the same powers and duties as the Chair.

6.2. The Chair is responsible for, and must conduct themselves in accordance with, the following:

- a) upholding and promoting the purposes of this constitution and interpreting it with appropriate advice when necessary;
- b) presiding over meetings of the Full Council to ensure that business is carried out efficiently, effectively and fairly between the different political groups whilst preserving the rights of councillors and the interests of members of the public;

- c) ensuring that at Council meetings, matters of concern to local communities can be debated through the appropriate councillors;
- d) ensuring that Councillors who are not on the Executive or who do not hold the Chairpersonship of a main Committee are able to hold those office holders to account;
- e) promoting public involvement in the council's affairs and acting as a contact between members of the public, organisations and the council;
- f) being the first citizen of North Northamptonshire Council and to participate in civic functions on behalf of the Council; and
- g) undertaking such other roles as may be placed upon the office from time to time by the council.

6.3. On any matter concerning the conduct of Council meetings during a meeting, the decision of the Chair shall be final.

7. QUORUM

7.1. The quorum of meetings of the council will be one quarter of the total membership. During any meeting, if the Chair counts the number of councillors present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chair. If the Chair does not fix a date, the remaining business will be considered at the next ordinary meeting.

8. WHAT THE COUNCIL CAN DECIDE

8.1. The Council will decide such matters as required by the law and those matters set out in Part 3 of this constitution.

9. ORDER OF BUSINESS

9.1. Business shall be dealt with in the order set out in 2.2, 3.1, 4.1, or 5.1 above depending on the nature of the meeting to be transacted, unless the person presiding at the meeting of the council decides otherwise.

10. GUILLOTINE

10.1. If the business of a council meeting has not been concluded three hours after its commencement, the Chair will draw the attention of the meeting to the time and to this Rule.

10.2. The Chair shall seek a mover and seconder and subsequently take a vote without discussion and by a show of hands as whether to continue the meeting.

10.3. If the vote is not carried, then items remaining to be considered will be adjourned to a later meeting.

11. URGENT BUSINESS

11.1. Business cannot be dealt with at a Council meeting unless it is included in the Summons. The Chair may allow business which is not specified in the Summons to be transacted if it is required to be transacted under any enactment or is brought before the Council as a matter of urgency and is not dealt with in accordance with Rule 23 below.

11.2. Where the Chair is of the opinion that by reason of special circumstances an item of business is urgent, that reason shall be specified in the minutes of the meeting.

12. CONFIRMATION OF MINUTES

12.1. Minutes of the last Council meeting shall usually be confirmed at the next ordinary meeting of the Council.

12.2. Only matters relating to the accuracy of the minutes can be raised, which must be done by way of a motion which is proposed, seconded and voted upon. Where no issues are raised, or after the motion has been dealt with, the Chair shall sign the minutes.

12.3. All Committee minutes shall be confirmed by the respective Committee only. Sub Committee minutes shall be approved by the Chairman of the Sub Committee.

12.4. Executive minutes shall be confirmed by the Executive.

13. MATTERS FOR DECISION BY THE COUNCIL

13.1. All matters for decision by the Council shall be included with the agenda, other than items of urgency under Rule 11 above.

13.2. When the item is reached on the agenda, the Leader, the relevant Portfolio Holder, the Chair of the relevant Committee or another councillor will, where appropriate, move the recommendation. Another councillor may second the motion and may reserve the right to speak until later in the debate.

14. MOTIONS (PROCEDURAL) WHICH MAY BE MOVED WITHOUT NOTICE

14.1. The following motions and amendments may be moved at a Council meeting without notice.

a) Appointment of a Chair of the meeting at which the motion is made;

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- b) Motions relating to the accuracy of the minutes of the Council, a Committee or Sub-Committee;
- c) That an item of business specified in the summons should have precedence;
- d) Reference to the Council, a Committee, Sub-Committee or the Executive;
- e) Appointment of or appointment to Committees, Sub-Committees or the Executive occasioned by an item mentioned in the summons to the meeting;
- f) Receipt of Records of Executive Decisions;
- g) Adoption of recommendations of the Executive, Committees and Sub-Committees and any consequent resolutions;
- h) That leave is given to withdraw a motion;
- i) That leave is given to alter a motion by the mover of that motion;
- j) Receipt of reports of officers and any consequent resolutions;
- k) Extending the time limit for speeches;
- l) Amendment to reports of which notification has been included within the summons of the meeting but where the reports were circulated at a later date than the summons;
- m) That the Council proceed to the next business;
- n) That the question be now put;
- o) That the debate be now adjourned;
- p) That the Council do now adjourn;
- q) Authorising the sealing of documents;
- r) Suspending Meeting Procedure Rules, in accordance with Procedure Rule 36;
- s) Motion under Section 100A(4) of the Local Government Act 1972 (as amended) to exclude the press and public;
- t) That a Councillor named under Procedure Rule 33 should not be heard further or should leave the meeting; and
- u) Giving consent of the Council where consent of the Council is required

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by these Meeting Procedure Rules.

15. PUBLIC PARTICIPATION AT COUNCIL MEETINGS

- 15.1. A public speaking time will apply to Council meetings, as detailed below. Members of the public may also submit questions in accordance with the process set out in Rule 16 below.
- 15.2. Members of the public may make statements at meetings of the Full Council, and Executive. The protocol for statements is as follows:
- a) Subject to the requirements of this protocol, a member of the public who lives or works in the area of the Council may submit a written statement to the Leader of the Council, a Portfolio Holder or the Chair of the Council or of a Committee of the Council.
 - b) A person wishing to make a statement under this protocol shall submit the statement in writing which must be received by the Monitoring Officer at the main office of the Council or by email to democraticservices@northnorthants.gov.uk by 5.00pm, at least two clear working days before the beginning of the meeting of the Council at which it is to be raised¹. The person's name and address must be included.
 - c) A statement put under this protocol must relate to an item on the public part of the agenda.
 - d) Statements shall be printed in order of receipt and circulated to Councillors prior to the commencement of the Council meeting. No discussion shall be allowed upon statements.
 - e) The person making the statement shall normally attend the meeting to read out their statement.
 - f) If statements are unsuitable in form, frivolous, defamatory, derogatory or relate to a matter which the Council would be likely to consider in the absence of the press and public, the Chair shall have the right to rule the statement out of order. The Chair shall also have the right to rule statements out of order where necessary in order to avoid repetition.
- 15.3. Any person who is qualified to make a statement in accordance with Rule 15.2 may, alternatively, present a petition to the Council. The petition must relate to a matter for which the Council has direct responsibility. The same time limit that applies when making a statement also applies to presenting a petition. Petitions submitted in this way will be referred to the relevant Portfolio Holder who will respond to the petitioner. Councillors shall also be informed of the response.
- 15.4. The time for statements from members of the public shall normally commence immediately after the item 'Chair's and Leader's Announcements' on the

¹ Except where a deadline would normally fall on a Friday at 5.00pm, in which the deadline will be extended to Monday at 9.00am.

Council agenda. The time limit for making a statement shall be three minutes for any person. The total time limit for public statements shall be 15 minutes but it is otherwise a matter for the discretion of the Chair who, in exercising his/her discretion, will have regard to the business to be transacted at the meeting and the objective of ensuring that the meeting is managed efficiently.

16. QUESTIONS

16.1. Questions by Councillors and Members of the Public at Council meetings

16.2. In accordance with Procedure Rule 3.1 f), members of the public and Councillors may ask questions at meetings of the full Council. The protocol for questions is as follows:

- a) Subject to the requirements of this protocol, a Councillor or a member of the public who lives or works in the area of the Council may submit a written question to the Leader of the Council, a Portfolio Holder or the Chair of the Council or of a Committee of the Council.
- b) A Councillor or a member of the public wishing to ask a question shall submit the question in writing which must be received by the Monitoring Officer at the main office of the Council by 5.00pm, two clear working days before the meeting of the Council at which it is to be asked². The person's name and home or work address must be included. A Councillor or a member of the public may ask no more than three questions at any meeting.
- c) A question shall be directed to the Chair, Leader, a Portfolio Holder or the Chair of a Committee and shall relate to a matter which the Council, the Executive or the Committee has powers, duties or responsibilities. Questions shall be so framed as to elicit information rather than make a statement and shall be limited to 50 words.
- d) Questions shall be printed in order of receipt and circulated to Councillors prior to the commencement of the Council meeting, along with the answers provided. The Chair shall have discretion to change the order of statements or questions to allow a broader variety of matters to be considered by the meeting concerned.
- e) No discussion shall be allowed upon questions or answers. The person asking the question shall not be required to read out their question, nor shall the person responding be required to read out their response. However, supplementary questions and answers shall be read out.
- f) A question will be ruled out of order and rejected by the Chair, in consultation with the Monitoring Officer, where it:

² Except where a deadline would normally fall on a Friday at 5.00pm, in which the deadline will be extended to Monday at 9.00am.

- i. does not relate to a matter for which the Council/Committee has a responsibility;
 - ii. is defamatory, frivolous, offensive, vexatious, unlawful or otherwise improper;
 - iii. requires the disclosure of confidential or exempt information;
 - iv. names or identifies individual service users, members of staff or members of staff of partner agencies; or
 - v. is considered to be inappropriate for the particular meeting.
- i) Following the answer to each question, the questioner may ask a supplementary question which relates to the initial answer. A reply may not be given if the question is: not related to the initial answer; is unduly lengthy; or is inappropriate.

16.3. The time allowed for questions under Rule 17 will be a maximum of 45 minutes (15 minutes for members of the public and 30 minutes for Councillors) but it is otherwise a matter for the discretion of the Chair who, in exercising his/her discretion, will have regard to the business to be transacted at the meeting and the objective of ensuring that the meeting is managed efficiently.

16.4. The Chair may agree to take urgent questions where he/she consider that it has not been possible for a Councillor to give the required notice, provided that a copy of the question is given to the Monitoring Officer before the meeting starts.

16.5. Subject to Rule 16.1 d) questions will be asked in the order of receipt and answered without discussion. In replying, the Councillor answering the question will use their reasonable endeavours to address the matters raised in the question. The Councillor to whom the question is addressed may:

- a) reply directly;
- b) reply by reference to a publication;
- c) reply by written answer with a copy to such other Councillors as the Council agrees; or
- d) refer the question to an appropriate committee or to the Executive.

17. NOTICES OF MOTION

17.1. Procedure

17.1.1. Notice of every motion (other than a motion which under Procedure Rule 14 may be moved without notice) shall be given in writing, signed

by the Member(s) of the Council giving the notice, and delivered, by 5.00pm at least six clear working days before the next meeting of the Council³, to the Monitoring Officer by whom it shall be dated, in the order in which it is received.

17.2. Scope

17.2.1. Motions must be about matters for which the Council has direct responsibility or influence.

17.2.2. The Chair, following consultation with the Monitoring Officer, is authorised to reject any motion that appears to the Chair or the Monitoring Officer to be irrelevant, defamatory, frivolous, offensive, vexatious, unlawful or otherwise improper. A motion will not be accepted if it is substantially the same as a motion which has been put or an address made by some other person at the same meeting of the Council on the basis that any differences can be addressed at the meeting through an amendment to the accepted motion, or at another meeting of the Council in the preceding six months.

17.3. Motions to be set out in summons

17.3.1. The summons for every ordinary meeting of the Council will set out all motions of which notice has been duly given, unless the Member giving the notice has intimated in writing, when giving it, that he/she proposed to move it at some later meeting or has since withdrawn it. The motions will be listed in the summons according to whether they relate to Executive or non-Executive functions but otherwise in the order in which they have been received.

17.4. Withdrawal of Motion which is before the Council

17.4.1. Where a notice of motion is before the Council having been formally moved and seconded and the mover wishes subsequently to withdraw it, he/she with the consent of the seconder may do so with the consent of the Chair of the Council.

17.5. Motions not moved

17.5.1. If a motion set out in the summons is not moved either by a Councillor who gave notice of it or by some other Councillor on his/her behalf it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.

17.6. Motions increasing expenditure or reducing revenue of Council

³ Except where a deadline would normally fall on a Friday at 5.00pm, in which the deadline will be extended to Monday at 9.00am.

17.6.1. Any notice of motion which would have the effect of materially increasing the expenditure or reducing the revenue of the Council, otherwise than in the form of a proposal that the matter be referred to the Executive for consideration and report, shall not be deemed to have been duly given for the purposes of this Standing Order.

17.7. Motions reviewing or rescinding Executive decision taken under delegated powers

17.7.1. Any notice of motion which would have the effect of reviewing or rescinding a decision of the Executive taken under delegated powers, otherwise than in the form of a proposal that the matter be referred to the Executive for consideration and report, shall not be deemed to have been duly given for the purposes of this Standing Order.

17.8. Deferment of a Notice of Motion

17.8.1. Where a notice of motion has been moved and seconded, and referred for advice, the consideration of the motion may be deferred where the mover and seconder signify in writing his/her agreement to the deferral and the Chair of the Council indicates, in writing, his/her agreement on behalf of the Council. The matter would then come to a subsequent meeting of the Council for report and decision.

18. RULES OF DEBATE

18.1. The rules of debate to be followed at Council meetings are set out below.

18.2. Budget Council Meetings

18.2.1. Specific rules of debate apply to Budget Council meetings which are attached to these rules as Appendix 2.

18.3. Motions and Amendments

18.3.1. No motion or amendment shall be discussed unless it has been proposed and seconded. Where required by the Chair, motions or amendments shall be put in writing and handed to the Chair before they are further discussed or put to the meeting. At meetings other than those of the full Council, the Chair of that meeting may, at his/her discretion, allow a motion or amendment to be put which is not in writing, provided that the Chair has concluded that the wording of the motion or amendment is understood by all members of the body concerned. This requirement does not apply to motions submitted under Procedure Rule 14.

18.4. Seconder's Speech

- 18.4.1. When seconding a motion or amendment a Councillor may advise the Chair that he/she will reserve his/her right to speak until a later period in the debate.

18.5. Only one Councillor to speak at a time

- 18.5.1. When speaking at a Council meeting a Councillor shall if possible, stand and address the Chair. While a Councillor is speaking the other Councillors will remain seated, unless rising, if possible, on a point of order or in personal explanation.

18.6. Content and length of speeches

- 18.6.1. A Councillor will confine his/her speech to the question under discussion, a personal explanation or a point of order. Except as indicated below, in the case of speeches made by Councillors when the Council is agreeing a budget, or where the Council, Committee or Sub-Committee otherwise agrees, the speech of the mover of a motion shall not exceed five minutes and all other speeches shall not exceed three minutes.
- 18.6.2. In advance of the meeting at which the Council is due to agree a budget, the Council's Political Groups may agree a protocol which makes provision for a limited number of speeches to be made on behalf of each Political Group, and which exceed the three-minute limitation contained in these Rules. The Chair will have discretion as to how such a protocol will be implemented at the meeting and, where no agreement can be reached between the Political Groups, whether and (if so) how any extension of the three-minute limitation might be permitted to operate.

18.7. When a Councillor may speak again

- 18.7.1. At a Council meeting a Councillor who has spoken on any motion shall not speak again whilst it is the subject of debate, except:
 - a) to speak once on an amendment moved by another Councillor;
 - b) if the motion has been amended since he/she last spoke, to move a further amendment;
 - c) if his/her first speech was on an amendment moved by another Councillor, to speak on the main issue, whether or not the amendment on which he/she spoke was carried;
 - d) in exercise of a right of reply given by rule 18.13.1 or 18.15.2;
 - e) on a point of order referring to the specific Procedure Rule;

- f) by way of personal explanation; or
- g) to move one of the motions specified in 18.1.4 (b) to (j), below when the procedure in those paragraphs shall be followed.

18.7.2. At a Council meeting a Councillor who has spoken on any motion shall not speak again whilst it is the subject of debate, except:

- a) at Committees or Sub-Committees Councillors may, at the discretion of the Chair, speak more than once.

18.8. Amendments

18.8.1. An amendment must be relevant to the motion and shall be either:

- a) to leave out words;
- b) to leave out words and add others
- c) to insert and/or add words;
but such amendment shall not have the effect of negating the motion before the Council.

18.8.2. The Chair, following consultation with the Monitoring Officer, is authorised to reject any amendment that appears to the Chair or the Monitoring Officer to be irrelevant, defamatory, frivolous, offensive, vexatious, unlawful or otherwise improper. A motion will not be accepted if it is substantially the same as a motion which has already been submitted to the same meeting of the Council.

18.9. Notice of Amendments

18.9.1. A Councillor who wishes to propose an amendment to a report included with the summons (other than in accordance with Rule 14) or a motion submitted in accordance with Procedure Rule 17 shall be required to submit that motion to the Monitoring Officer no less than two working days before the start of the meeting. Amendments to reports of which notification has been included within the summons of the meeting may be moved without notice.

18.10. Number of Amendments

18.10.1. Only one amendment may be moved and discussed at a time. No further amendment shall be moved until the amendment under discussion has been disposed of, although the Chair may allow two or more amendments to be discussed (but not voted on) together if this would facilitate the proper conduct of the business before the meeting.

18.11. Status of Amendments

18.11.1. If an amendment is lost, another amendment may be moved on the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.

18.12. Alterations to Motions or Amendments

18.12.1. A Councillor may alter a motion or amendment of which he/she has given notice and may also, with the consent of the seconder, alter a motion or amendment which he/she has moved. In both cases, the consent of the Council (the Committee or Sub-Committee) is required. There should be no discussion on whether consent should or should not be given.

18.13. Withdrawal of Motion

18.13.1. A motion or amendment may be withdrawn by the mover provided the seconder and the meeting, without discussion, agree. Once the mover has asked for permission to withdraw, there should be no further discussion, unless the meeting refuses to agree to the request.

18.14. Right of Reply

18.14.1. The mover of the motion shall have a right to reply at the close of the debate on the motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original motion shall have a right of reply at the close of the debate on the amendment but shall not otherwise speak on it. The mover of the amendment shall have no right of reply to the debate on his/her amendment.

18.15. Motions which may be moved during debate

18.15.1. When a motion is under debate no other motion shall be moved except the following:

- a) to amend the motion (subject to paragraph 7);
- b) to adjourn the meeting;
- c) to adjourn the debate;
- d) to proceed to the next business;
- e) to suspend Procedure Rules;
- f) to refer a matter to the Council, Executive, a Committee or Sub-committee for consideration or reconsideration;

- g) that the question be now put;
- h) that a Councillor be not further heard;
- i) by the Chair under Procedure Rule 33 that a Councillor do leave the meeting;
- j) a motion under Section 100A(4) of the Local Government Act 1972 (as amended) to exclude the public.

18.16. Closure Motions

18.16.1. A Councillor may move, without comment, at the conclusion of a speech of another Councillor,

- a) “That the Council proceed to the next business”,
- b) “That the question be now put”,
- c) “That the debate be now adjourned”, or
- d) “That the Council do now adjourn”.

18.16.2. When one of these Motions has been seconded the Chair shall proceed as follows:

- a) on a motion to proceed to next business - unless in his/her opinion the matter before the meeting has been insufficiently discussed, he/she shall first give the mover of the original motion the right of reply, and then put to the vote the motion to proceed to next business;
- b) on a motion that the question be now put - unless in his/her opinion the matter before the meeting has been insufficiently discussed, he/she shall put to the vote the motion that the question be now put and, if it is passed, give the mover of the original motion the right of reply before putting the motion to the vote;
- c) on a motion to adjourn the debate or the meeting - if in his/her opinion the matter before the meeting has been insufficiently discussed on that occasion, he/she shall put the adjournment motion to the vote without giving the mover of the original motion the right of reply on that occasion.

18.17. Points of Order

18.17.1. A Councillor may rise (or where necessary, instead raise their hand) on a point of order or in personal explanation and shall be entitled to be heard immediately. A point of order shall relate only to an alleged breach of a Procedure Rule or statutory provision and the Councillor

shall specify the Procedure Rule or statutory provision and the way in which he/she considers it has been breached. A personal explanation shall be confined to some material part of a former speech by him/her which may appear to have been misunderstood in the current debate.

18.18. Ruling of Chair on a Point of Order/Personal Explanation

18.18.1. The ruling of the Chair of the meeting on a point of order or on the admissibility of a personal explanation shall not be open to discussion and shall be final. The Chair of the meeting shall consult on any question of interpretation with the Monitoring Officer or their designated nominee prior to making a ruling.

18.19. Respect for the Chair

18.19.1. At the Council meeting whenever the Chair rises during a debate a Councillor then standing shall sit down and the Council shall be silent. In Committee or Sub-Committee meetings, whenever the Chair rises from his/her seat, the Councillors should remain in their seats and the Committee or Sub-Committee shall be silent.

19. RESCISSION OF EARLIER RESOLUTION

19.1. Subject to Rule 15.2, at a meeting of the Council, no motion or amendment shall be moved to rescind any resolution of the Council which was passed within the preceding six months or which is to the same effect as one which has been rejected within that period.

19.2. Such a motion may be moved if:

- a) it is recommended by the Executive or a Committee; or
- b) notice of such motion has been given under Rule 19 and signed by at least one third of the total number of Councillors (26) who include members from more than one political group.

20. VOTING

20.1. Each Councillor has one vote.

20.2. Voting will be by a show of hands or, where practical and the means are available to those present, by suitable electronic means.

20.3. When a Councillor asks for a recorded vote to be taken, and 10% of the overall number of Councillors (8) stand in their places to support the request, the vote will be recorded to show whether each Councillor voted for or against the motion or abstained. If necessary, a Councillor may raise their hand instead of standing in order to indicate their support for a request for a recorded vote.

- 20.4. A recorded vote will not be taken if the vote has already begun to be taken by a show of hands.
- 20.5. A Councillor may require, after a vote is completed, that the Minutes of the meeting record how he/she voted or abstained.
- 20.6. A Councillor may, immediately after the item of business is voted upon, request that a lost motion or amendment be recorded in the minutes.
- 20.7. Where there are equal votes cast for a motion or amendment the Chair or the person presiding will have a second or casting vote.

21. OFFICES AND APPOINTMENTS

- 21.1. Voting to elect or appoint the Chair and Vice Chair of the Council, or Councillors to any office or position where more than one person is nominated shall be a show of hands or, where practical and the means are available to those present, by suitable electronic means.
- 21.2. If on a vote no person receives more than half of the votes cast, the name of the person with the least number of votes will be withdrawn. Further votes will be held until one person receives a clear majority.
- 21.3. The Chair, or person presiding, will have a second or casting vote where the votes are equal.

22. ELECTION OF CHAIR OF COMMITTEES AND SUB-COMMITTEES

- 22.1. The Chair of every Committee and Sub-Committee excluding the Executive will be elected at the annual first meeting of the Council where possible.
- 22.2. The Councillor elected to each office must be a member of the relevant Committee or Sub-Committee.
- 22.3. Where a vacancy occurs in any office, an election will be held at the next ordinary meeting of the Committee or Sub-Committee concerned.
- 22.4. Unless the Council decides otherwise, the election will be conducted by a show of hands and may relate to a number of offices. Rule 17 will apply.
- 22.5. Where a Chair and Vice-Chair are absent from a meeting of the relevant body, a Chair will be appointed from those members of the body present, provided the meeting is quorate and subject to any restrictions on the eligibility of Executive members for appointment.

23. URGENT BUSINESS – NON-EXECUTIVE MATTERS

- 23.1. An item of urgent business which has to be decided before the next meeting

of the Council and which does not fall within the Executive's functions and responsibility can be determined by the Head of Paid Service, subject to the procedure set out below.

- 23.2. Where any matter is urgent and cannot await the next meeting, the Head of Paid Service may take the necessary action, provided that he/she has first consulted the relevant Chair (or Vice-Chair if he/she is not available).
- 23.3. A copy of the consultation document shall be sent to the appropriate Executive Member, the Chair of the Overview and Scrutiny Committee (or a relevant Sub-Committee established by it), the group leaders and the Councillors for the area concerned, if the matter particularly affects one or more electoral areas.
- 23.4. Any such approval shall be in writing, consideration being given after consultation with the Chief Finance Officer and the Monitoring Officer.
- 23.5. The Monitoring Officer shall forthwith supply a copy of any approval requiring a report to a Committee or Sub-Committee which has been given by him/her to the Head of Paid Service and the Chief Finance Officer.
- 23.6. A report of any action under this Procedure Rule shall be made available by electronic means to all Councillors.

Part B – COMMITTEE AND SUBCOMMITTEE MEETINGS

24. PROGRAMME OF MEETINGS

- 24.1. Meetings of Committees and Sub-Committees will be set out in the calendar of meetings approved by the Council under Rule 1.1. Alterations to the date, time and/or venue for meetings, as well as the inclusion of additional meetings, shall be matters for the Chair of each committee to determine as set out in paragraph 27.2 below.
- 24.2. When it is necessary to alter the date, time and/or venue of a meeting, or to arrange a special meeting, the Monitoring Officer will consult the Chair of the relevant Committee or Sub-Committee before any action is taken. The Chair of the Committee or Sub-Committee will then determine the matter.

25. QUORUM AT COMMITTEES AND SUB-COMMITTEES

- 25.1. No item of business will be transacted at a meeting of a committee or sub-committee unless there are at least one quarter of the members of the body present. However, where the total membership of any committee or sub-Committee comprises 11 or fewer members, the quorum shall be 3.

26. MINUTES OF COMMITTEES AND SUB-COMMITTEES

- 26.1. The minutes of a Committee or Sub-Committee must be confirmed at its next meeting.
- 26.2. Only matters relating to the accuracy of the minutes can be raised. Where accuracy is questioned, this must be by a motion which is proposed, seconded and voted upon.
- 26.3. Where no issues of accuracy are raised, or after any motion has been dealt with, the Chair shall sign the Minutes.
- 26.4. The Minutes of any Sub-Committee must be submitted to the next suitable meeting of the parent Committee by the Sub-Committee Chair.
- 26.5. Members may ask a question or comment on any minute. The Chair of the Committee or Sub-Committee will then reply. There will be no debate on any question or comment raised under this procedure and no further motions can be moved.
- 26.6. Where a Member has a question or comment on an exempt, private or confidential Minute, the question or comment must be given in writing to the Monitoring Officer at least one hour before the start of the meeting.
- 26.7. Any question about the accuracy of any minute of a Committee or Sub-Committee must be considered and determined by that Committee or Sub-Committee at its next suitable meeting.

27. MOTIONS MOVED WITHOUT NOTICE AT COMMITTEES AND SUB-COMMITTEES

- 27.1. Rule 11 lists those motions and amendments which can be moved without notice.

28. RULES OF DEBATE AT COMMITTEES AND SUB-COMMITTEES

- 28.1. Rule 18 sets out the rules of debate.

29. VOTING AT COMMITTEES AND SUB-COMMITTEES

- 29.1. Voting at Committee and Sub-Committee meetings will be by a show of hands.
- 29.2. A recorded vote will be required where any three members request that one takes place after a proposition is put by the Chair but before the vote is taken, such a vote to be recorded in the minutes as to whether each member present gave his or her vote for or against that proposition or abstained from voting.

- 29.3. A Councillor may require, after a vote is completed, that the Minutes of the meeting record how he/she voted or abstained.
- 29.4. A Councillor may request that a lost motion or amendment be recorded in the minutes by requesting this immediately after the vote is taken.
- 29.5. Where there are equal votes cast for a motion or amendment, the person presiding at the meeting will have, and must exercise, a second or casting vote.

30. MOVER OF A MOTION AT COUNCIL UNDER RULE 13: ATTENDANCE AT COMMITTEES AND SUB-COMMITTEES

- 30.1. Where a motion has been referred under Rule 13 from the Council to a Committee or Sub-Committee for consideration and report, the mover of the motion has the right to attend the meeting and to explain the motion.
- 30.2. The mover of the motion will be advised of the date and time of the meeting at which the matter is to be considered and he/she will be sent a copy of the relevant papers.

31. REQUESTS BY MEMBERS FOR ITEMS OF BUSINESS TO BE INCLUDED ON AGENDAS OF A COMMITTEE OR SUB-COMMITTEE

- 31.1. This rule sets out details of the process by which a Councillor can ask for an item of business to be included on the agenda of a Committee or Sub-Committee meeting.
- 31.2. This Rule does not apply to special meetings of Committees and Sub-Committees or to the Executive.
- 31.3. A Councillor may, by notice given to the Monitoring Officer no later than ten clear working days before the appropriate meeting, request that an item of business be included on the agenda of a Committee or Sub-Committee.
- 31.4. A Councillor may not give notice of more than one item of business for any one meeting. The notice shall state the nature of the business and shall include the signature of that Councillor. A notice may be submitted electronically and bear an electronic signature, provided the notice has been originated by that Councillor.
- 31.5. This procedure shall not apply where the item of business, if agreed, would have the effect of rescinding or amending any resolution passed by a Committee or Sub-Committee of the Council within the preceding 6 months.
- 31.6. Items arising from such notices shall appear on the agenda after the ordinary public or private agenda items accordingly.

31.7. This procedure will apply to Councillors exercising their rights under Section 9FC of the Local Government Act 2000 and Scrutiny Procedure Rule 9.4 to have an item, within the remit of that particular body, included on the Agenda and discussed at the next meeting of that body. The restrictions in paragraph 31.4 above on the number of items shall not apply to items submitted under this paragraph.

32.COMMITTEE AND SUB-COMMITTEE AGENDA - URGENT ITEMS OF BUSINESS

32.1. Generally, business will only be transacted at meetings of Committees and Sub-Committees which appears in the agenda and which has been available for public inspection at least five clear working days before the meeting or, where the meeting is convened at short notice, from the time the meeting is convened.

32.2. The Chair of the Committee or Sub-Committee may agree to deal with an item of business at the meeting if, in his/her opinion, the matter is urgent given the circumstances requiring a decision. The Chair's ruling and the reasons for urgency will be recorded in the Minutes of the meeting.

33.ATTENDANCE OF COUNCILLORS AT COMMITTEES AND SUB-COMMITTEES OF WHICH THEY ARE NOT MEMBERS

33.1. Notwithstanding their rights as a member of the public, a Councillor may attend any meeting of a Committee or Sub-Committee to which he/she has not been appointed, for the purposes of performing his/her duties as a Councillor, including when exempt or private and confidential business.

33.2. A Councillor will be given, when he/she arrives at the meeting a copy of the agenda and relevant papers, subject to any restrictions imposed under the Access to Information Procedure Rules.

33.3. The Councillor has no right to vote but may speak with the consent of the Chair of the meeting.

34.OVERVIEW AND SCRUTINY COMMITTEES/SUB-COMMITTEES

34.1. In applying these Rules to Overview and Scrutiny Committees and Sub-Committees, regard shall be had to the Overview and Scrutiny Procedure Rules which are contained in Part 4 of this Constitution.

Part C – GENERAL PROVISIONS

35. RECORDS OF ATTENDANCE

- 35.1. The Monitoring Officer will keep a record of Members attending any meeting of the Council, the Executive, and any Committee or Sub-Committee.

36. DISCLOSURE OF CONFIDENTIAL/EXEMPT MATTERS

- 36.1. No Councillor shall disclose to any person the whole or any part of the contents of any agenda, report or other document which is marked “confidential” or “not for publication” unless and until the document has been made available to the public or the press by or on behalf of the Council, the Executive, a Committee or Sub-Committee.

- 36.2. No Councillor shall disclose to any person other than a Councillor any matter arising during the proceedings of the Council, the Executive, any Committee or Sub-Committee and which comes to his/her knowledge by virtue of his/her office as a Member where such disclosure would prejudice the interest of the Council or would be contrary to law.

- 36.3. No Councillor shall, without the consent of the Chair of the appropriate body, disclose to any person any decision or proceedings of that body except:

- (a) when a report on the matter has been circulated to the Council by that body; or
- (b) when the decision has become public knowledge; or
- (c) when the matter comes within the powers of that body and a final decision has been made upon it;

provided that this paragraph shall not authorise any disclosure which would contravene Rules 32.1 or 32.2.

37. DISORDERLY CONDUCT BY MEMBERS

- 37.1. If at a meeting any Councillor, in the opinion of the person presiding, misconducts themselves in any way, the person presiding, or any other Councillor may move “That the Councillor be not further heard”. The motion, if seconded, shall be put and determined without discussion.

- 37.2. If the Councillor continues the misconduct after a motion under Rule 33.1 has been carried, the person presiding may: either move “That the Councillor do leave the meeting” (in which case the motion shall be put and determined without seconding or discussion); or adjourn the meeting.

- 37.3. In the event of general disturbance by Councillors at any meeting which, in the opinion of the person presiding, renders the due and orderly dispatch of business impossible, the person presiding will have the power to adjourn the

meeting.

38. DISTURBANCE BY MEMBERS OF THE PUBLIC

- 38.1. If a member of the public interrupts the proceedings at any meeting the person presiding shall issue a warning to him/her. If he/she continues, the person presiding shall order his/her removal from the meeting. In cases of general disturbance in any part of the meeting room open to the public, the person presiding shall order that part to be cleared.

39. VARIATION AND REVOCATION OF PROCEDURE RULES

- 39.1. Any motion to vary or revoke these Rules shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

40. SUSPENSION OF PROCEDURE RULES

- 40.1. Subject to Rule 36.2, any of the preceding Procedure Rules may be suspended in respect of any business at a meeting of the Council, a Committee or Sub-Committee where its suspension is moved except where this would be in contravention of statute.
- 40.2. A motion to suspend Procedure Rules shall not be moved without notice (that is under Procedure Rule 18.15) unless there shall be present at least one-third of the Members of the Council or that Committee or Sub-Committee respectively.

41. INTERPRETATION OF PROCEDURE RULES

- 41.1. The ruling of the person presiding as to the construction or application of any of these Procedure Rules, or as to any proceedings of the Council, shall not be challenged at any meeting.
- 41.2. The person presiding, prior to enacting Rule 37.1, shall consult on any question of interpretation with the Monitoring Officer or their designated nominee.

42. SUBMISSION OF NOTICES BY MEMBERS – ELECTRONIC MEANS

- 42.1. A Councillor may communicate, by electronic means, any notice under any of the Council's Procedural Rules to initiate any process or procedure provided it is clear that the notice has been originated by that Member.

43. MEETINGS BY REMOTE MEANS

- 43.1. During the period of the Coronavirus Restrictions specified in the relevant legislation the provisions of Appendix 1 will apply allowing the Council, its Committees and Sub-Committees to hold meetings using remote technology.

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- 43.2. During the period that Appendix 1 applies the remainder of the Council's Constitution, including these procedure rules, is to be interpreted in a manner which gives effect to Appendix 1.
- 43.3. On 7 May 2021 or such other time as the regulations specified in Appendix 1 cease to apply, the provisions of Appendix 1 shall also cease to apply.

Appendix 1

Remote Procedure Rules

These standing orders provide the rules for the conduct of any meeting which apply for remote meetings of the Council and its various Committees, Sub-Committees and Working Groups.

Members may be able to participate by remote-means (including (but not limited to) video conferencing, live webcast, live interactive streaming if so agreed by the Chair of the Meeting in accordance with arrangements agreed from time to time by the Council.

Attendance by remote-means will be with the agreement of the Chair and processes for arranging attendance as set out in these Procedure Rules must be complied with. These Procedure Rules will remain in force for meetings held before 7th May 2021 and are to be applied in accordance with The Local Authorities and Police and Crime Panels (Coronavirus)(Flexibility of Local Authority and Police and Crime Panel Meetings)(England and Wales)(Regulations) 2020.

1. Introduction

1.1 The Procedure Rules should be read in conjunction with the Standing Orders and Procedure Rules within the North Northamptonshire Council Constitution. The Regulations, made under section 78 of the Coronavirus Act 2020, apply notwithstanding any other legislation or current or pre-existing standing orders or any other rules of the Council governing meetings and remain valid until 7th May 2021. This means that, wherever there is a conflict, these Remote Meetings Procedure Rules take precedence in relation to any remote meeting.

1.2 The effect of the Regulations on the Council's Constitution is to insert what are, in effect, mandatory standing orders for those authorities that wish to hold meetings remotely, either wholly or partially.

2. Notice of Meetings

2.1 The Proper Officer will give the requisite notice to the public of the time of the meeting, and the Agenda, together with details of how to view the meeting via the following website: [XXX](#)

2.2 Members will be notified of a remote meeting by electronic means and all agenda papers will be available on the Council's website (see paragraph 2.1). Paper copies are available on request or by arrangement.

2.3 The 'place' at which the meeting is held may be a Council building or may be where the organiser of the meeting is located or may be an electronic or a digital or virtual location, a web address or a conference call telephone number; or could be a number of these combined. The meeting may also be held in a

meeting room or Chamber with a proportion of the membership and any participating public additionally attending remotely.

3. Quorum

3.1 Any Member so authorised to participate by remote conferencing shall be regarded as present for the purposes of determining a quorum. In the event of any failure of the video conferencing link the Chair will immediately determine if the meeting is still quorate, if it is then the business of the meeting will continue, if there is no quorum then the meeting will, only in such circumstances, adjourn for a period specified by the Chair to allow the connection to be re-established.

4. Access to Meetings

4.1 Members will be encouraged to use any video conferencing facilities provided by the Council to attend a meeting remotely. If this is not possible, attendance may be through an audio link or by electronic means.

4.2 Remote access for members of the public and members who are not attending to participate in the meeting together with press facilities, will be provided through webcasting.

4.3 A technological failure removing the ability for the public to access the meeting by remote means may render the meeting incapable of proceeding.

5. Management of Remote Participation

5.1 Any Member participating in a meeting remotely must, when they are speaking, be able to be heard (and ideally seen) by all other Members in attendance, and the remote participant must, in turn, be able to hear (and ideally see) those other Members participating.

5.2 In addition, a remote participant must be able to be heard by, and in turn hear any members of the public entitled to attend the meeting and who exercise a right to speak at the meeting.

5.3 The Chair will normally confirm at the outset and at any reconvening of a meeting that they can see and hear all participating members. Any Member participating remotely should also confirm at the outset and at any reconvening of the meeting that they can see and hear the proceedings and the other participants.

5.4 The attendance of those members at the meeting will be recorded by the Democratic Services Officer.

6. Disruption to remote conferencing

6.1 Should any aspect of an individual's remote participation fail, the Chair may call a short adjournment of up to five minutes to determine whether the connection can quickly be re-established, either by video technology or telephone in the

alternative. If the connection is not restored within that time, the meeting shall continue to deal with the business whilst this happens providing the meeting remains quorate and the public are able to hear.

6.2 In the event of connection failure, the Member(s) will be deemed to have left the meeting at the point of failure and if the connection cannot be re-established to those Member(s) before the end of the meeting, then the presumption will be that the meeting should continue to deal with the item(s) of business. If the connection is successfully re-established, then the Member(s) will be deemed to have returned at the point of re-establishment.

6.3 If a Member has not been present for part of the item under the debate then they shall seek advice from the Monitoring Officer as to whether they should vote, before doing so.

7. Remote Attendance by the Public

7.1 Any member of the public who has been given permission by the Chairman to address a meeting in accordance with the constitution must when they are speaking, be able to be heard (and ideally seen) by Members in attendance, and the remote participant must, in turn, be able to hear (and ideally see) those other members participating.

7.2 Members of the public who have been given permission by the Chairman to address a meeting may read out their question or written statement, of which prior notice will have been given, when invited to do so by the Chairman.

7.3 As an alternative, members of the public who wish to address the meeting may submit a written statement that can be read out by the Chairman at the appropriate time.

8. Voting

8.1 Unless a Recorded Vote is called, the method of voting will be at the Chair's discretion and will be by one of the following methods:

- a vote by electronic means; or
- an officer calling out the name of each member present with:
 - members stating 'for', 'against', or 'abstain' to indicate their vote when their name is called
 - the Democratic Services Officer clearly stating the result of the vote and the Chair then moving onto the next agenda item
- by the general assent of the meeting.

9. Declarations of Interest

9.1 Any Member participating in a remote meeting who declares a disclosable pecuniary interest, or other declarable interest, in any item of business that would normally require them to leave the room, must also leave the remote meeting. Their departure will be confirmed by the Democratic Services Officer

who will invite the relevant Member by link, email or telephone, to re-join the meeting at the appropriate time.

10. Exclusion of Public and Press

10.1 There are times when council meetings are not open to the public, when confidential, or “exempt” issues (as defined in Schedule 12A of the Local Government Act 1972) are under consideration. Where the technology is available, the Democratic Services Officer or meeting facilitator will ensure that there are no members of the public in remote attendance or remotely accessing the meeting are able to hear or see the proceedings once the exclusion has been agreed by the meeting.

Appendix 2

Budget Council Meeting Debate Protocol

Pre Meeting

1. All political group leaders (or their nominee) who wish to provide proposed amendments to the proposed budget on behalf of their groups at least 3 clear working days before the Budget Council meeting, shall do so, in writing.

This will enable the Chief Finance Officer to have advanced notice and review the proposed amendments prior to the Authority meeting.

2. All political group leaders (or their nominee) will identify in their submission (if more than one amendment is provided) if they wish for the amendments to be debated individually or as a group of amendments in one go.

Please bear in mind that any amendments must result in a balanced budget and therefore how the amendment would be funded must be clear.

This will allow Democratic Services to share copies of the amendments either in the Chamber or on screen to ensure that members are able to view them and make an informed decision.

It would also be helpful to have agreement between the political groups about which group will propose amendments first to enable a smooth and well-ordered meeting.

At the Meeting

1. At the beginning of the meeting, the Chair shall remind councillors that there are certain rules of procedure that apply only to the debate on the budget. Otherwise the meeting will be run according to the usual rules of procedure set out in the meeting procedure rules.
2. At the beginning of the debate on the budget, the Chair shall invite a member on behalf of the ruling group to move (up to 30 minutes) the budget. The Chair shall then invite a member to second (up to 3 minutes) the budget.
3. The Chair shall invite a member on behalf of the Labour group to make a statement in response to the budget (up to 15 minutes).
4. The Chair to invite a member of the Liberal Democrat group to make a statement in response to the budget (up to 10 minutes).
5. The Chair shall invite a member of any other group to make a statement in response to the budget (up to 10 minutes).
6. All groups shall be given the opportunity to provide a response.

7. The Chair will advise that any amendments to the substantive motion must now be put (if required) Any amendments shall be proposed (up to 5 minutes) and seconded (up to 3 minutes) prior to being debated. The Chair shall require that all amendments must be put in writing and provided to the Chair before they are discussed or put to the meeting
8. The mover of an amendment shall have a right of reply followed by the mover of the ruling groups budget having a right of reply at the end of the debate on an amendment.
9. At the conclusion of the vote on any and/or all amendments (If required) have been exhausted the Chair shall advise the meeting that the substantive motion - the ruling groups budget – will be debated. All members may contribute to the debate (for up to 3 minutes each) except the mover or seconder of the original motion (unless the seconder has reserved their right to speak). No further amendments are allowed at this stage by any of the members of the Council.
10. After the debate on the substantive motion, the proposer has a right of reply (up to 5 minutes). The debate is concluded and a recorded vote must then taken on this.

End of Meeting Procedure Rules

February 2021