

# Public Document Pack




**Meeting:** Democracy and Standards Committee  
**Date:** Monday 7th November, 2022  
**Time:** 7.00 pm  
**Venue:** Council Chamber, Swanspool House, Wellingborough, Northants, NN8 1BP

## To Members of the Democracy and Standards Committee

Councillors Lora Lawman (Chair) , Councillor Macaulay Nichol (Vice-Chair), Jean Addison, Lyn Buckingham, Robin Carter, Emily Fedorowycz, Kirk Harrison, Paul Marks, Dorothy Maxwell, Andy Mercer, Gill Mercer, Michael Tye and Kevin Watt.

## Substitutes:

Councillors Paul Bell, Jonathan Ekins, Philip Irwin, Leanne Buckingham, Dez Dell and Anne Lee.

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<p>Adele Wylie, Monitoring Officer North Northamptonshire Council</p>  <p><b>Proper Officer</b> <b>Friday 28 October 2022</b></p>			

\*The reports on this agenda include summaries of representations that have been received in response to consultation under the Planning Acts and in accordance with the provisions in the Town and Country Planning (Development Management Procedure) Order 2015.

This agenda has been published by Democratic Services.

Committee Administrator: Carol Mundy

☎01933 231 521

✉Carol.Mundy@northnorthants.gov.uk

### Meetings at the Council Offices

Where there is a need for the Council to discuss exempt or confidential business, the press and public will be excluded from those parts of the meeting only and will have to vacate the room for the duration of that business.

### Press & Media Enquiries

Any press or media enquiries should be directed through the Council's Communications Team to [NNU-Comms-Team@northnorthants.gov.uk](mailto:NNU-Comms-Team@northnorthants.gov.uk)

### Public Enquiries

Public enquiries regarding the Authority's meetings can be made to [democraticservices@northnorthants.gov.uk](mailto:democraticservices@northnorthants.gov.uk)

### Public Participation

The council has approved procedures for you to request to address meetings of the council.

ITEM	NARRATIVE	DEADLINE
Members of the Public (or other non-committee councillors) agenda statements	Requests to address the committee must be received <b>by 5pm</b> , two clear working days before the meeting. Statements must relate to matter on the agenda and speakers will be limited to three minutes.	<b>5pm</b> Wednesday 2 November 2022

If you wish to register to speak, please contact the committee administrator

## Members' Declarations of Interest

Members are reminded of their duty to ensure they abide by the approved Member Code of Conduct whilst undertaking their role as a Councillor. Where a matter arises at a meeting which **relates to** a Disclosable Pecuniary Interest, you must declare the interest, not participate in any discussion or vote on the matter and must not remain in the room unless granted a dispensation.

Where a matter arises at a meeting which **relates to** other Registerable Interests, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but must not take part in any vote on the matter unless you have been granted a dispensation.

Where a matter arises at a meeting which **relates to** your own financial interest (and is not a Disclosable Pecuniary Interest) or **relates to** a financial interest of a relative, friend or close associate, you must disclose the interest and not vote on the matter unless granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting.

Members are reminded that they should continue to adhere to the Council's approved rules and protocols during the conduct of meetings. These are contained in the Council's approved Constitution.

If Members have any queries as to whether a Declaration of Interest should be made please contact the Monitoring Officer at – [monitoringofficer@northnorthants.gov.uk](mailto:monitoringofficer@northnorthants.gov.uk)

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# Agenda Item 3

**Minutes of the Democracy and Standards Committee** held at 7 pm on Monday 12th September, 2022 (and reconvened at 7pm on 10 October 2022) at the Council Chamber, Swanspool House, Wellingborough, Northants. NN8 1BP

**Present: -**

**Members:**

Councillor Lora Lawman (Chair)

Councillor Robin Carter

Councillor Paul Marks

Councillor Andy Mercer

Councillor Gill Mercer

Councillor Michael Tye

**Officer: -**

Carol Mundy, Senior Democratic Services Officer (Committees & Members)

## 32 Apologies/Adjournment of meeting

Apologies for absence were received from Councillors Addison, Lyn Buckingham, Fedorowycz, Harrison, Nichol and Watt.

The Chair welcomed Councillor A Mercer to the meeting as a member of the committee.

Period of Mourning

Following the death of Her Majesty, Queen Elizabeth II, the Chair paid tribute to Her Majesty's dedicated service to the country and expressed the condolences of the committee to King Charles III and the Royal family.

She asked Members to stand and observe a two minute silence.

In recognition of the period of mourning the Chair suggested the meeting be adjourned to Monday 10 October 2022 at 7pm. This was proposed by Councillor A Mercer and seconded by Councillor Marks. On being put to the vote the motion was declared carried unanimously.

**Resolved** that the meeting be adjourned to be reconvened on 10 October 2022..

The Chair adjourned the meeting at 7.05pm.

**The meeting was reconvened at 7pm on 10 October 2022.**

The following councillors and officers were present:

Councillors Lora Lawman (Chair), Macaulay Nichol (Vice-Chair), Jean Addison, Lyn Buckingham, Robin Carter, Emily Fedorowycz, Kirk Harrison, Paul Marks, Dorothy Maxwell, Andy Mercer, Gill Mercer and Michael Tye.

Adele Wylie, Director of Governance, Human Resources and Monitoring Officer,  
Paul Gault, Interim Democratic Services Manager,  
Ben Smith, Democratic and Electoral Services Manager and  
Carol Mundy, Senior Democratic Services Officer (Committees/Members).

An apology was received from Councillor Kevin Watt.

**33 Members' Declarations of interest (if any)**

The Chair invited members to make a declaration if they wished to do so.

**Resolved** to note that no declarations were made.

**34 Minutes of the Meeting held on 11 July 2022**

**Resolved** to note that the minutes of the meeting held on 11 July 2022 were approved and signed as a true record.

**35 Notification of any requests to address the meeting**

**Resolved** to note that no requests had been received to address the meeting.

**36 Start time of Full Council meetings**

The annexed circulated report of the Director of Governance, HR and Monitoring Officer was received to consider the formulation, by the committee, of a recommendation to full Council on the start time of future Full Council meetings.

In September 2022 Full Council agreed to trial an alternative start time for ordinary full council meetings of 2pm, instead of 7pm, with an agreement to review the decision after a reasonable number of council meeting had been held.

Since that decision seven meetings of full council had taken place, along with the Budget Full Council meeting, which started at 10am and a Special Full Council meeting, which commenced at 7pm.

A recent questionnaire to councillors had resulted in 53 responses being received, details of which were appended to the report.

Also appended to the report were the following:

Appendix A - Details of Apologies, meeting duration and public participation;  
Appendix B - Number of views on YouTube;  
Appendix C - Comparison of start times of Council meetings with other authorities.

The decision on the start time of future Full Council meetings needed to be made by Councillors.

Members discussed the available options with views summarised below:

- It was mooted that some full time/self-employed Members had found it difficult or impossible to attend daytime meetings because of work commitments and therefore evening meetings were preferable.
- Some councillors raised concern that to do a full day's work and then attend an evening council meeting, which potentially could continue until late at night, was also not conducive to good decision making.

- Travel time to Corby, could often take over an hour from many parts of North Northamptonshire and needed to be factored in. A meeting would be followed, for some, by a lengthy return journey, after a tiring meeting. There was a duty of care to both Members, the Public and employees to ensure they returned home safely.
- Analysis of attendance levels indicated that regardless of the time of meetings there was little difference in average attendance year on year from either councillors or the public.
- Public participation was also at the forefront of members thoughts and It was noted that public participation, with a few exceptions, had been low and that consideration needed to be given to encouraging more public participation. It was generally conceded that the public would attend if the subject matter on the agenda was something that they considered would strongly affect them, regardless of time.
- It was suggested that should meetings be held late afternoon that public participation be moved to later the agenda. It was however, cautioned that this would not be advisable as the public generally needed to speak prior to council debating an item and making a decision.
- Advice was sought on whether the format of the full Council agenda could be reconsidered. Currently questions from members and supplementary questions were raised at the beginning of the agenda; this frequently resulted in a delay in commencing the 'business of the agenda'.
- It was noted that there was a 'guillotine' on the conclusion time of meetings, where Members had the option to extend the length of the meeting to conclude the agenda business. If questions were moved to the end of the agenda more time could be given to discussing the important business first when minds were fresh and alert and a decision on whether to extend the meeting could be made, depending on the time. It was noted that answers to questions were already provided prior to the meeting.
- It was also noted that during the first year of the council the meetings had been longer as there had been a great deal to discuss and consider. The length of meetings had often been extended with questions, and supplementary questions.
- Prior to standing for election potential members had been informed that meetings would be held at different times of the day/evening and that this needed to be considered before putting themselves forward.
- There were very few Full Council meetings during the year, and where possible every effort needed to be made by Councillors to attend on behalf of their constituents. It was noted, however, that there were always occasions where apologies needed to be submitted.
- Members considered it important to encourage the younger generation to stand for election and that with different methods of working, and often more flexibility offered to employees with remote working, future participation should

become an easier option, though it was appreciated that this would not be the case with all types of employment.

- The Full Council meeting to discuss the budget would continue to be held at 10am due to the volume of business under discussion and the expected length of the meeting. This was noted.
- Generally, it was agreed that 7pm was too late for a meeting of Full Council to start. It was noted that a 6pm start could result in traffic delays with peak traffic periods. Many considered that 2pm was not an ideal option and felt that a late afternoon start would be more appropriate.

It was proposed by Councillor Gill Mercer that the start time of Full Council meetings be moved to 5pm. This was seconded by Councillor Kirk Harrison.

Members debated this proposal with most agreeing that this would be a good compromise for many councillors. It would ensure that travel time was prior to the peak rush hour, minds would be fresh and alert for the decision-making process. Public transport would be more available and accessible to attend and return home for both councillors and the public as meetings would conclude at a reasonable time for the return journey.

Following the debate, the Chair put the proposal as moved by Councillor G Mercer and seconded by Councillor K Harrison to the vote.

The motion was declared carried with nine votes in favour and two against.

**Resolved to recommend** to Full Council that:

- (i) future meetings of the Full Council commence at **5pm**;
- (ii) the exception to this be the Budget Full Council meeting which would commence at 10am.

### **37 Constitutional Working Group**

The annexed circulated report of the Director of Governance, HR and Monitoring Officer was received to confirm the membership of the Constitutional Working Group for the remainder of the municipal year 2022/23, following changes to the membership of the committee.

It was agreed that the current membership of the working group remain as four Conservatives, one Labour and one Green Alliance, as follows:

Councillors K Harrison, L Lawman, Nichol and G Mercer (Conservatives)  
Councillor Lyn Buckingham (Labour)  
Councillor E Fedorowycz (Green Alliance)

It was proposed by Councillor Harrison and seconded by Councillor Fedorowycz that Councillor L Lawman remain as Chair.

On being put to the vote this was declared carried.

**Resolved** that:



- (i) Councillors K Harrison, L Lawman, Nichol and G Mercer (Conservatives), Lyn Buckingham (Labour) and E Fedorowycz (Green Alliance) continue as members of the Constitutional Working Group for the remainder of 2022/23;
- (ii) Councillor L Lawman continue as Chair for the remainder of 2022/23.

### **38 Appointment of Independent Persons and Town & Parish Representatives**

The annexed circulated report of the Director of Governance, Human Resources and Monitoring Officer was received to seek approval to the process for the recruitment of independent persons and town and parish representatives to the Democracy and Standards Committee.

The report detailed the responsibility of the committee to oversee and develop the council's Code of Conduct and overall standards of conduct for councillors, co-opted councillors and Parish and Town Councillors in North Northamptonshire.

Independent Persons and Town and Parish representatives needed to be appointed for the purpose of assisting the authority's obligations to deal with allegations of breaches of the code. Such persons would attend meetings where standards matters were to be discussed at the invitation of the Chair.

North Northamptonshire Shadow Authority, at its council meeting in February 2021, appointed three independent persons for standards, to ensure compliance with the Localism Act 2011. Those appointed are Vivienne Barnard, Mike Sawford and Dean Smith, all had previously undertaken this role in sovereign councils.

No town and parish councillors had been appointed.

Details of the proposed recruitment process were provided within the report along with a timeline, subsequently updated, of when this would commence and be concluded. It was expected that a report would be presented to committee on 9 January 2023 with a recommendation included to go to the council meeting on 26 January 2023.

Members queried the requirement for three independent persons and three parish and town representatives.

Officers explained that with 106 parish councils the workload could be vast with the potential for numerous code of conduct complaints. The views of the independent persons/representation could potential be sought on various and numerous aspects during any investigations.

It was intended to use Northamptonshire County Association of Local Councils (NCALC) to assist with the recruitment process. Officers explained that each Parish Clerk would be contacted by NCALC to encourage applications from any of the parish councils in the North Northamptonshire area.

The Director of Governance, HR and Monitoring Officer also explained that the role of the independent persons was important as they could also be used to investigate a potential issue with a senior officer of the council. It was essential that they were independent.

The roles would also be advertised in the local newspaper and the communications team's expertise on advertising and encouraging diversity would also be sought through the process.

The motion within the report was proposed by Councillor Harrison and seconded by Councillor Nichol. Upon being put to the vote the motion was declared carried.

**Resolved** that the:

- (i) independent nature of the independent persons and town and parish representatives, along with their role on the committee when attending meetings, be noted;
- (ii) recruitment process for the appointment of independent persons and town and parish representatives to the committee, as detailed within the report, be approved;
- (iii) outcome of the recruitment process will be reported back to the committee, to recommend appointments to full Council for approval.

### **39 Update on Local Government Boundary Review**

The annexed circulated report of the Director of Governance, HR and Monitoring Officer was received to update members on Phase One – Council Size, as part of a review of electoral arrangements in North Northamptonshire by the Local Government Boundary Commission for England.

The report detailed the work undertaken by this committee on the review and the recommendation approved on 23 June 2022 for submission to the Boundary Commission. The primary objective of the review was to improve electoral equality to ensure that each voter had the same or similar representation on the council.

The Boundary Commission responded to the submission on 24 August 2022, with the letter being appended to the report, advising that it could not reach a decision on Council size based upon the evidence in the submission and invited further evidence to be submitted by 21 October 2022.

The report explained the role of the Local Government Boundary Commission for England (LGBCE), who is responsible for carrying out reviews of local authority electoral arrangements. Such review would look at the total number of councillors elected to the authority, the number and boundaries of wards for the purposes of the election of councillors, the number of councillors per ward and the name of such ward.

The Director informed the committee that work was ongoing to progress this further and the Lead Commissioner would meet with the leaders of each political group.

Members commented that they were disappointed with the Commissioner's decision as a considerable amount of work had been put into the submission, which they considered had been robust and evidence based. They were also concerned over the timeline, which the Director confirmed had been extended since the report had been produced.

Members could also submit individual comments to the Commissioner.

**Resolved** to note:

- (i) the letter and delay on the decision of the Local Government Boundary Commission;
- (ii) that the political leaders will meet with the Leader Commissioner;
- (iii) that further evidence, to support the submission, in relation to Council Size would be submitted to the Local Government Boundary Commission,

#### **40 Close of Meeting**

The Chair closed the meeting at 8.25pm.

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## Democracy & Standards Committee 7<sup>th</sup> November 2022

<b>Report Title</b>	<b>Meeting Procedure Rules</b>
<b>Report Author</b>	<b>Adele Wylie (Director of Governance/Human Resources &amp; Monitoring Officer)</b> <b><u><a href="mailto:Adele.wylie@northnorthants.gov.uk">Adele.wylie@northnorthants.gov.uk</a></u></b>
<b>Executive Member</b>	<b>N/A</b>

<b>Are there public sector equality duty implications?</b>	<input checked="" type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>
<b>Does the report contain confidential or exempt information (whether in appendices or not)?</b>	<input type="checkbox"/> <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b>
<b>Applicable paragraph number/s for exemption from publication under Schedule 12A Local Government Act 1972</b>	N/A

### List of Appendices

Appendix A – Copy of revised draft Meeting Procedure Rules

#### 1. Purpose of Report

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- 1.1. For the Committee to consider revisions to the current Meeting Procedure Rules. Any recommended revisions would require ratification by Full Council. The Rules cover the formal meetings of Council as determined in the Council's Constitution.

#### 2. Executive Summary

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- 2.1. Following discussion by the Constitutional Working Group (CWG), it is being recommended that certain amendments be made to the Meeting Procedure Rules. On consideration of the current Rules, it was noted that there was the need to clarify certain aspects of procedure and to incorporate certain "learning points" since Vesting Day and the operation of both Full Council meetings and those of committees.

### **3. Recommendations**

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- (a) That the revised Meeting Procedure Rules (as detailed in Appendix A) be submitted to Full Council for approval.
- 3.1. *Reason for Recommendations – Following review of the operation of the Meeting Procedure Rules since Vesting Day it is suggested that some amendments are made to improve the efficient and effective decision making of the Council’s governance structure.*
- 3.2. *Alternative Options Considered – there are some discrepancies that require determination and areas which require clarification to ensure the smooth running of Full Council and committees. Failure to address these issues may result in disjointed meetings and overuse of Chair’s discretion.*

### **4. Report Background**

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- 4.1. Under the Committee’s terms of reference, there is a requirement to review the Council’s Constitution and decision-making governance. The Meeting Procedure Rules are a key element of the Constitution, detailing how Full Council and committees operate. The Rules include statutory provisions, statutory guidance and best practise.
- 4.2. The Council has now been in operation for 18 months. It is therefore being recommended that the Rules be reviewed and amended in light of experience since Vesting Day.
- 4.3. The recommended draft Rules (Appendix A) provide an opportunity to clarify certain procedures and address issues that have arisen since Vesting Day, whilst ensuring that public participation, councillors rights and the decision-making process of the Council are protected.
- 4.4. The proposed amended Rules have been the subject of discussion and debate at meetings of the Constitutional Working Group and are being recommended to the Committee for consideration.

### **5. Issues and Choices**

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- 5.1. Appendix A contains the proposed amended Meeting Procedure Rules. Whilst the current Rules have provided a basis for the conduct of meetings over the previous 18 months there have been issues that have arisen which require attention or consideration.
- 5.2. Items of debate are highlighted in Appendix A. Areas that have particularly been the focus of debate by CWG include: -

- Rule 1 – enables the Council to agree its Municipal Timetable at any Full Council meeting not just at Annual Council;
- Rule 3 – around the running order of the agenda for Full Council meetings, and clarification of the item titled Executive Presentations;
- Rule 5.5 – confirms that any extraordinary meeting called to remove the Leader of the Council excludes the public from participation;
- Rule 10 – clarifies that a Guillotine motion without notice can be moved whilst another agenda item is under discussion;
- Rule 15.10, 16.8, 17.8 & 18.5 confirms that public statements, public questions, councillor motions and councillor questions exclude reference to proposed or actual planning or licensing applications, but may relate to planning or licensing policy;
- Rule 17.2 – in relation to councillor questions the deadline for receipt of questions is proposed to be 6 clear working days prior to the full council meeting (this standardises the deadline with that of Motions With Notice);
- Rule 19.8 – clarifies the procedure for debating reports containing recommendations;
- Rule 19.11 to 19.19 – clarifies the procedure for consideration of amendments;
- Rule 19.23 to 19.32 – includes a new section detailing Points of Order and Personal Explanations;
- Rule 36 – confirms procedures relating to Executive Advisory Panels;
- Rule 38.2 – confirms the process for declassifying reports/resolutions;
- Rule 44 – confirms the use of a NNC designated email address is required to communicate notices under the Procedure Rules.

## **6. Next Steps**

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- 6.1. The Committee are being requested to approve the amended Meeting Procedure Rules for recommendation to Full Council.

## **7. Implications (including financial implications)**

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### **7.1. Resources and Financial**

- 7.1.1. None specific to this report.

### **7.2. Legal and Governance**

- 7.2.1. The Rules include statutory provisions, statutory guidance and best practise.

### **7.3. Relevant Policies and Plans**

- 7.3.1. The Constitution includes the Meeting Procedure Rules covering Full Council, committees and sub-committees.

#### **7.4. Risk**

- 7.4.1. The proposed amendments are intended to clarify procedures for the conduct of Council meetings for councillors, officers and the public. Issues that have arisen and identified during the previous 18 months are addressed in the proposed amended Rules.

#### **7.5. Consultation**

- 7.5.1. The Constitutional Working Group (CWG) considered this matter at its meetings on 22<sup>nd</sup> August 2022 & 17<sup>th</sup> October 2022. The proposed revisions are recommended by the CWG.

#### **7.6. Consideration by Executive Advisory Panel**

- 7.6.1. Not applicable to this report.

#### **7.7. Consideration by Scrutiny**

- 7.7.1. Not applicable to this report.

#### **7.8. Equality Implications**

- 7.8.1. None impacting on the nine protected characteristics defined in the Equality Act 2010.

#### **7.9. Climate Impact**

- 7.9.1. Not applicable to this report.

#### **7.10. Community Impact**

- 7.10.1. The public's right to attend full Council meetings for public agenda items are enshrined in statute. The Public Participation rules are included in the Council's Constitution.

#### **7.11. Crime and Disorder Impact**

- 7.11.1. Not applicable to this report.

### **8. Background Papers**

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- 8.1. NNC Council Constitution.  
8.2. Constitutional Working Group Discussion Paper 22/08/22 & 17/10/22.



## 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 Procedural Rules a sub-committee does not include a task & finish group, working group or advisory group. Such groups may adopt all or some of the Procedure Rules but there is no statutory requirement to do so.

These Procedure Rules set out how meetings of the Council, committees and sub-committees will be conducted. The Procedure Rules also set out the Public Participation opportunities, except where specific committees or sub-committees have their own approved Public Participation Policy e.g., the Planning Authority committees.

### Part A - Council Meetings

#### 1. Council Meetings

- 1.1 The Council will approve a schedule of meetings for each Municipal Year. The schedule will be agreed at a meeting of the full Council.
- 1.2 The Proper Officer of the Council has a statutory responsibility for the summons and arrangements of Council meetings.
- 1.3 Full Council meetings will usually commence at **XXXX**, on a Thursday, at a place to be agreed by the Proper Officer in consultation with the Chair.
- 1.4 The meeting to determine the Council's Budget for the forthcoming year (to be held by the end of February) will normally commence at 10:00 am.
- 1.5 The Proper Officer or the Council can agree to hold an unscheduled meeting subject to the "Extraordinary Meetings" provisions in this Constitution.

#### 2. Annual Meeting of the full Council (Annual Council)

##### Timing

- 2.1 The Annual Meeting of the Council must be held by the end of May. The meeting marks the commencement of a new Municipal Year.
- 2.2 In a year when there are ordinary elections for councillors, the Annual Meeting shall take place within 21 calendar days from the retirement of the outgoing councillors.

##### Business to be undertaken at the Annual Meeting

- 2.3 The Annual Meeting shall –
  - (i) Elect the Chair of the Council who shall then preside;
  - (ii) Appoint the Vice Chair of the Council;

- (iii) Receive any apologies for absence from councillors;
  - (iv) Receive any declarations of interest from councillors;
  - (v) Approve the minutes of the previous meeting;
  - (vi) Receive any announcements from the Chair of the Council;
  - (vii) Elect the Leader of the Council 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;
  - (viii) Receive an address from the Leader of the Council (*custom and practise would be for the leader of any recognised group to be given the courtesy of a brief response following the Leader's address*);
  - (ix) Note the appointments to the role of Deputy Leader and to the Executive;
  - (x) Note the appointments of Leader and Deputy Leader of any recognised political groups (2 members or more);
  - (xi) Appoint membership to the Council's committees and internal bodies as required under the approved Constitution, applying political balance rules for the designation of seats as required by statute or local choice;
  - (xii) Approve a schedule of meetings for the new Municipal Year, if this has not previously been approved by Council;
  - (xiii) Delegate to the Monitoring Officer the power to appoint councillors (including substitutes) to committees and internal bodies of the Council in accordance with the wishes of the respective group leaders, except where appointments to those bodies is exercisable only by the Leader of the Council or the Executive;
  - (xix) Appoint Council representatives where required, whose appointment is not in the gift of the Leader of the Council, the Executive or another approved body;
  - (xx) Any business which requires full Council determination that cannot await the next ordinary meeting of full Council, if agreed by the Proper Officer in consultation with the Chair of the Council;
  - (xxi) Any business which requires full Council determination that cannot await the next ordinary meeting of full Council as submitted by the designated Monitoring Officer or the Chief Finance Officer.
- 2.4 There will not normally be public participation at the Annual Council meeting unless under Procedure Rule 2.3 (xx) or 2.3 (xxi) above an item(s) that requires Council determination is submitted, in which case normal public participation procedures for that item(s) only would apply.

### 3. Ordinary Meetings of the full Council

3.1 Ordinary meetings of the Council shall take place in accordance with a programme determined by full Council.

Ordinary meetings shall –

- (i) Elect a person to preside if both the Chair and Vice Chair of the Council are absent;
- (ii) Receive any apologies for absence from councillors;
- (iii) Receive any declarations of interest from councillors;
- (iv) Approve the minutes of the previous meeting;
- (v) Receive any announcements from the Chair of the Council;
- (vi) Receive any announcements or presentations from the Leader of the Council. Provide for the Leader of the Council, or an Executive Member, to put forward a presentation (10 minutes) relating to their respective portfolios and upon which councillors will be able to ask questions and receive responses (10 minutes). A total of 20 minutes in total is applicable to this agenda item;
- (vii) 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 and must relate to a report or motion for determination by full Council as published in the public agenda of that meeting (see Procedure Rule 15);
- (viii) 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 North Northamptonshire Council has direct responsibility or influence (see Procedure Rule 16);
- (ix) To receive any petitions as defined in the approved Council Petition Scheme (see Appendix 2, Part 2);
- (x) Deal with any business adjourned from a previous full Council meeting;
- (xi) To receive reports for determination as appropriate;
- (xii) To consider motions given by notice and published on the summons;
- (xiii) Provide 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 (see Procedure Rule 17);
- (xiv) Consider any other business specified on the summons to the meeting;
- (xv) To receive urgent reports, motions or presentations subject to the urgency provisions in these Meeting Procedure Rules.

### 4. Budget Meeting of the full Council

4.1 Annually there is a requirement for full Council to meet to set the level of Council Tax and agree budgets for the Council for the subsequent financial year. This meeting needs to be held by the end of February each year.

4.2 Budget meetings shall –

- (i) Elect a person to preside if both the Chair and Vice Chair of the Council are absent;
  - (ii) Receive any apologies for absence from councillors;
  - (iii) Receive any declarations of interest from councillors;
  - (iv) Approve the minutes of the previous meeting;
  - (v) Receive any announcements from the Chair of the Council;
  - (vi) 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 and must relate to a public report for determination by Council as published in the agenda of that meeting;
- 4.3 The conduct of the remainder of the meeting will follow the Budget Council Meeting Procedure Rules as detailed in **Appendix A**;
- 4.4 To receive urgent reports, motions or presentations subject to the urgency provisions in these Meeting Procedure Rules.

## **5. Extraordinary Meetings of the full Council**

**5.1 Extraordinary meetings are defined as meetings of the full Council which were not indicated on the approved calendar of meetings schedule. These are normally called as an item of business requires determination of the full Council prior to the next scheduled ordinary meeting as there is a legal obligation or business critical need for the full Council to determine a matter.**

### Calling Extraordinary Meetings

- 5.2 The Proper Officer may call, and those listed below may direct the Proper Officer to call, an extraordinary meeting of full Council in addition to an ordinary meeting –
- (i) The officer designated as the Monitoring Officer (or in their absence their appointed deputy);
  - (ii) The officer designated as the Chief Finance Officer (or in their absence their appointed deputy);
  - (iii) The full Council by resolution;
  - (iv) The Chair on receipt of a signed requisition from **8 councillors** which details the need for an extraordinary meeting to be called, quoting the legal or business critical need for such a meeting.
- 5.3 Prior to the summons for an extraordinary meeting to be issued, the Proper Officer shall consult the Chair, the Leader of the Council, the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer.

### Motion to remove the Leader of the Council

- 5.4 A motion to remove the Leader of the Council from office may only be –

- (i) Made at an extraordinary meeting of the full Council convened specifically for that purpose not less than **15 working days** from the submission of the motion to the Proper Officer;
- (ii) Submitted in the form of a requisition signed by not less than one third of the total number of councillors (**currently 26 councillors**) of the Council; and
- (iii) Considered on one occasion by the Council in any six-month period.
- (iv) Where the full Council passes a resolution to remove the Leader of the Council, a new Leader is to be elected at the meeting at which the Leader is removed from office.

5.5 **Where the item of business relates to the removal of the Leader of the Council, public participation rules would be suspended for the duration of that meeting.**

#### Items of business at Extraordinary Meetings

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

5.7 Extraordinary meetings shall –

- (i) Elect a person to preside if both the Chair and Vice Chair of the Council are absent;
- (ii) Receive any apologies for absence from councillors;
- (iii) Receive any declarations of interest from councillors;
- (iv) Consider the item for determination as detailed on the summons of the meeting.

### **6. Chair and Vice Chair of North Northamptonshire Council**

6.1 The Chair of the Council, or in their absence the Vice Chair, will preside at meetings of the full Council.

6.2 Where both the Chair and Vice Chair are absent, the meeting 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.

6.3 The Chair is responsible for, and must conduct themselves in accordance with the following –

- (i) Upholding and promoting the purposes of the Council's approved Constitution and interpreting it with appropriate advice when necessary;
- (ii) 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 individual councillors and the interests of members of the public;

- (iii) Ensuring that at full Council meetings, matters of concern to local communities can be debated through the appropriate councillors;
- (iv) Ensuring that councillors who are not on the Executive or do not hold the chair of a standing committee are able to hold those office holders to account;
- (v) Promoting public involvement in the Council's affairs and acting as a contact between members of the public, local organisations and the Council;
- (vi) Being the "First Citizen" of North Northamptonshire Council and to participate in civic functions on behalf of the Council; and
- (vii) Undertaking such other roles as may be placed upon the office from time to time by the Council.
- (viii) On any matter concerning the conduct of full Council meetings where the Chair's adjudication is required, subject to seeking appropriate advice, the decision of the Chair shall be final.

## **7. Quorum**

- 7.1 The quorum of meetings of the full Council shall be one quarter of the total membership.
- 7.2 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, in consultation with the Proper Officer. If the Chair does not fix a date, the remaining business will be considered at the next ordinary meeting.

## **8. What the full Council can decide**

- 8.1 Full Council will decide such matters as required by law and those matters set out in Part 3 of the Council's approved Constitution.

## **9. Order of Business**

- 9.1 The business of the meeting will normally be dealt with in the order set out in the summons of the meeting.
- 9.2 If there is a request to vary the order of business made to the Chair, the Chair after seeking advice from the Proper Officer, will consider varying the order of business for the purpose of the efficiency of the meeting.

## **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 the guillotine rule. Council meetings would normally be expected to be completed within three hours; however it is recognised that in exceptional circumstances an extension to the meeting may be required.

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

10.3 If the vote is not carried, then items remaining to be determined by full Council will be adjourned to a later meeting or if urgent will be subject to the urgency provisions within this Constitution.

10.4 If the vote is carried, the Chair will determine the new guillotine time. If that new time is reached and a further extension of time is required, the Council meeting may vote again to extend.

10.5 Subject to Procedure Rule 14 a Motion Without Notice to extend the guillotine may be made whilst another amendment duly moved and seconded is under debate. Any vote on the guillotine motion shall be taken as a separate vote.

## 11. Urgent Business

11.1 Business will normally be stipulated in the summons of a meeting. The Chair may allow business which requires full Council determination and which is not specified in the summons, following consultation with the Proper Officer. The Chair will ensure that the matter of urgency cannot be dealt with under Procedure Rule 24 below.

11.2 Where the Chair determines that by reason of special circumstances an item of business is urgent, it may be considered by the meeting with the reason(s) for urgency 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 meeting of the Council.

12.2 Only matters relating to the accuracy of the minutes can be raised. Approval of the minutes requires a Mover and a Secunder and voted upon. Once approved the Chair shall sign the minutes.

## 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 Procedure Rule 11 above.

13.2 Any recommendation, motion, or proposed decision to be made by Council must first be moved by a councillor and seconded by another councillor prior to any vote on the item being taken. In seconding a recommendation, motion or proposed decision, where a debate on the item is permissible the seconder may reserve their right to speak until later in the debate.

## 14. Motions (Procedural) which may be Moved Without Notice

14.1 The following motions may be moved at a Council meeting without notice –

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

- (ii) Motions relating to the accuracy of the minutes of the Council, committee or sub-committee;
- (iii) That an item of business specified in the summons should have precedence;
- (iv) Reference of an item to Council, the Executive, a committee or sub-committee;
- (v) Appointment of or appointment to committees or sub-committees occasioned by an item mentioned in the summons of the meeting;
- (vi) Notification by the Leader of the Council of appointments to the Executive;
- (vii) Receipt of records of Executive Decisions;
- (viii) Adoption of recommendations of the Executive, a committee or a sub-committee and any consequent resolutions;
- (ix) That leave is given to withdraw a motion;
- (x) That leave is given to alter a motion by the mover of that motion;
- (xi) Receipt of reports of officers and any consequent resolutions;
- (xii) Extending the time limit for speeches;
- (xiii) Amendments 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;
- (xiv) That the Council proceed to the next business;
- (xv) That the question be now put;
- (xvi.) That the Council do now adjourn;
- (xvi) Authorising the sealing of documents;
- (xvii) Suspending a Meeting Procedure Rule, in accordance with Procedure Rule 38;
- (xviii) Motion under Section 100A (4) of the Local Government Act 1972 (as amended) to exclude the press and public;
- (xix) That a councillor named under Meeting Procedure Rule 19.20 should not be heard further or should leave the meeting; and
- (xx) Giving consent of the Council where these Meeting Procedure Rules require consent of the Council.



## 15. Public Participation at Council Meetings (Public Statements)

- 15.1 A public participation time will apply to Council meetings, as detailed below.
- 15.2 Members of the public may also submit questions in accordance with the process set out in Procedure **Rule 16** below.
- 15.3 Members of the public may make statements at meetings of the full Council, the Executive or a committee. Those bodies appointed by full Council undertaking duties or responsibilities as the Planning Authority or the Licensing Authority may draw-up their own Public Participation Policy, subject to approval by full Council. The normal procedure for statements is as stated below.
- 15.4 Subject to the requirements of these procedure rules, a member of the public who lives and/or works in the North Northamptonshire Council area, may submit a written statement to the Leader of the Council, an Executive Member, the Chair of a standing committee or the Chair of the Council.
- 15.5 A person wishing to make a statement under this procedure shall submit the statement to the named contact in Democratic Services as detailed on the summons of the meeting in writing to Democratic Services, The Cube, George Street, Corby NN17 1QG or by email to - [democraticservices@northnorthants.gov.uk](mailto:democraticservices@northnorthants.gov.uk) by 5:00 pm at least two clear working days before the beginning of the meeting of the Council at which it is to be raised. The person's name, address and telephone and/or email details must be included.
- 15.6 A statement put under this procedure must relate to a report **or motion** on the public part of the agenda where the Council are being requested to determine a matter. A statement will not be accepted under these rules where it relates to a standing agenda item e.g., acceptance of minutes, declarations of interest or where it relates to a Motion Without Notice.
- 15.7 Statements shall be printed in order of receipt and circulated to councillors prior to the commencement of the meeting. No discussion shall be allowed on statements.
- 15.8 The person making the statement shall normally attend the meeting to read out their statement. When calling the member of the public to read out their statement, if the Chair notes the member of the public is not present, the statement will be noted as read and the Chair will proceed with the business of the meeting.
- 15.9 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 in consultation with the Monitoring Officer 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.

15.10 Statements relating to matters under consideration by North Northamptonshire Council in its role as Planning Authority or Licensing Authority (relates to proposed or registered applications yet to be determined) shall not be permitted. The member of the public will be directed to the appropriate procedure relating to representations on those matters. Statements relating to general planning or licensing policy would be permitted;

15.11 The time limit for making a statement shall be three minutes for any person.

15.12 The total time limit for public statements shall be 15 minutes but it is otherwise a matter for discretion of the Chair who, in exercising their 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. Public Participation at full Council Meetings (Public Questions)

16.1 Subject to the requirements of this procedure, a member of the public who lives and/or works in the area of North Northamptonshire Council, may submit a written question to the Leader of the Council, an Executive Member, the Chair of a standing committee or the Chair of the Council.

16.2 A member of the public wishing to ask a question under this procedure shall submit their question to the named contact in Democratic Services as detailed on the summons of the meeting in writing to Democratic Services, The Cube, George Street, Corby NN17 1QG or by email to - [democraticservices@northnorthants.gov.uk](mailto:democraticservices@northnorthants.gov.uk) by 5:00 pm at least two clear working days before the beginning of the meeting of the Council at which it is to be raised. The member of the public's name, address and telephone and/or email details must be included.

16.3 A question shall be directed to the Leader of the Council, an Executive Member, a Chair of a standing committee or the Chair of the Council. The question must relate to a matter which North Northamptonshire Council has powers, duties or responsibilities for under law or local choice.

16.4 Questions shall be framed as to elicit information rather than make a statement and shall be limited to 50 words.

16.5 Questions shall be printed in order of receipt and circulated to councillors prior to the commencement of the Council meeting. The Chair shall have discretion to change the order of questions to allow a broader variety of matters to be considered by the meeting concerned. A copy of the response will be provided to the member of the public prior to the commencement of the meeting.

16.6 A member of the public may submit no more than one question at a meeting;

16.7 No discussion or debate shall be allowed on public questions or answers. The person asking the question shall not be required to read their question, nor shall the person responding be required to read out their response if their response

has been circulated to councillors. Supplementary questions and answers shall be read out.

16.8 A question will be ruled out of order and rejected by the Chair, in consultation with the Monitoring Officer, where it –

- (i) Does not relate to a matter for which North Northamptonshire Council has a power, duty or 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;
- (v) Relates to matters under consideration by North Northamptonshire Council in its role as Planning Authority or Licensing Authority (relates to proposed or registered applications yet to be determined). Questions relating to general planning or licensing policy would be permitted;
- (vi) Is considered to be inappropriate for the particular meeting.
- (vii) The same or similar question has been asked at a previous Council meeting in the preceding six months.

16.9 Following the answer to each question, the member of the public may through the Chair ask a supplementary question which relates to the initial answer. A reply to the supplementary question may not be given if the question is not related to the initial answer, is unduly lengthy or is deemed inappropriate. Where required a written response to the supplementary question may be sent to the member of the public within 5 clear working days following the meeting.

16.10 The time allowed for public questions will be a maximum of fifteen minutes but is otherwise a matter for the discretion of the Chair who in exercising their discretion will have regard to the business to be transacted at the meeting and the objective of ensuring the business of the meeting is managed efficiently.

16.11 The member of the public asking the question shall normally attend the meeting to read out their question (optional). When calling the member of the public to read out their question, if the Chair notes the member of the public is not present, the question will be noted as read and the Chair will proceed with the business of the meeting.

16.12 Subject to Procedure Rule 16.5 questions will be asked in the order of receipt and answered without discussion or debate. In responding 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 –

- (i) Reply directly;

- (ii) Reply by reference to a document in the public domain (e.g., Council report, meeting minutes);
- (iii) Reply by a written answer to the questioner within five clear working days of the meeting where the question has been put.

## 17. Councillor Questions at full Council meetings

- 17.1 Subject to the requirements of this procedure, a councillor of North Northamptonshire Council, may submit a written question to the Leader of the Council, an Executive Member, the Chair of a standing committee or the Chair of the Council.
- 17.2 A councillor wishing to ask a question under this procedure shall submit their question to the named contact in Democratic Services as detailed on the summons of the meeting in writing to Democratic Services, The Cube, George Street, Corby NN17 1QG or by email to - [democraticservices@northnorthants.gov.uk](mailto:democraticservices@northnorthants.gov.uk) by 5:00 pm at least **six clear working days** before the beginning of the meeting of the Council at which it is to be raised.
- 17.3 A question shall be directed to the Leader of the Council, an Executive Member, a Chair of a standing committee or the Chair of the Council. The question must relate to a matter which North Northamptonshire Council has powers, duties or responsibilities for under law or local choice.
- 17.4 Questions shall be framed as to elicit information rather than make a statement and shall be limited to 50 words.
- 17.5 Questions shall be printed in order of receipt and circulated to councillors prior to the commencement of the Council meeting. The Chair shall have discretion to change the order of questions to allow a broader variety of matters to be considered by the meeting concerned.
- 17.6 A councillor may submit no more than three questions at a meeting; however, the Chair reserves the right to ensure other councillors have the opportunity to table their questions, in which case the Chair may prioritise the questions received in order to provide greater participation.
- 17.7 No discussion or debate shall be allowed on councillor questions or answers. The councillor asking the question shall not be required to read their question, nor shall the councillor responding be required to read out their response. Supplementary questions and answers shall be read out. **A copy of all questions and responses will be circulated to all councillors and made publicly available via the Council's website following the meeting at which they were put.**
- 17.8 A question will be ruled out of order and rejected by the Chair, in consultation with the Monitoring Officer, where it –
- (i) Does not relate to a matter for which North Northamptonshire Council has a power, duty or 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;
- (v) Relates to matters under consideration by North Northamptonshire Council in its role as Planning Authority or Licensing Authority (relates to proposed or registered applications yet to be determined). Questions relating to general planning or licensing policy would be permitted;
- (vi) Is considered to be inappropriate for the particular meeting.
- (vii) The same or similar question has been asked at a previous Council meeting in the preceding six months.

17.9 If a submitted question is rejected, the councillor submitting the question will be informed in writing the criteria used for rejection of their question.

17.10 Following the answer to each question, the councillor may through the Chair ask a supplementary question which relates to the initial answer.

17.11 A reply to the supplementary question may not be given if the question is not related to the initial answer, is unduly lengthy or is deemed inappropriate. Where required a written response to the supplementary question may be sent to the councillor within 5 clear working days following the meeting.

17.12 The time allowed for councillor questions will be a maximum of thirty minutes but is otherwise a matter for the discretion of the Chair who in exercising their discretion will have regard to the business to be transacted at the meeting and the objective of ensuring the business of the meeting is managed efficiently.

17.13 The councillor asking the question shall normally attend the meeting to read out (optional) their question. When calling the councillor to read out their question, if the Chair notes the councillor is not present, the question will be noted as read and the Chair will proceed with the business of the meeting.

17.14 Subject to Procedure Rule 17.5 questions will be asked in the order of receipt and answered without discussion or debate. In responding 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 –

- (i) Reply directly;
- (ii) Reply by reference to a document in the public domain (e.g., Council report, meeting minutes);
- (iii) Reply by a written answer to the questioner within five clear working days of the meeting where the question has been put.

## 18. Notices of Motion submitted by councillors

### Procedure

18.1 Notice of every motion (other than a motion which under Procedure **Rule 19.20** may be moved Without Notice) shall be given in writing or by email to Democratic Services by 5:00 pm at least six clear working days before the date of the Council meeting.

### Scope

18.2 Motions must be about matters for which North Northamptonshire has direct responsibility or influence.

18.3 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, unlawful or otherwise improper.

18.4 A motion will not be accepted if it is substantially the same as a motion which has been put or relates to a decision to be made elsewhere on the meeting's agenda and could be addressed at the meeting through an amendment being proposed, or if the same or similar motion has been considered by the Council in the preceding six months.

**18.5 Motions which relate to matters under consideration by North Northamptonshire Council in its role as Planning Authority or Licensing Authority (relates to proposed or registered applications yet to be determined) will not be permitted. Motions relating to general planning or licensing policy would be permitted;**

### Motions to be set out in summons

18.6 The summons for every ordinary meeting of full Council will set out all motions of which notice has been duly given, unless the councillor giving the notice has intimated in writing or email, when giving it, that they propose to move it at a 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.

### Withdrawal of Motion which is before Council

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

### Motions not moved

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

Motions increasing expenditure or reducing revenue of Council

18.8 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 these Meeting Procedure Rules.

Motions reviewing or rescinding Executive decisions taken under delegated powers

18.9 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 these Meeting Procedure Rules.

Deferment of a Notice of Motion

18.10 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 to the Chair their agreement, and the Chair signifies agreement on behalf of the Council. The motion would then come to a subsequent meeting of the Council for report and decision.

**19. Rules of Debate**

Budget Council Meetings

19.1 Specific Procedure Rules apply to Budget Council meetings. These are attached as Appendix 1 to these Procedure Rules.

Motions and Amendments

19.2 No motion or amendment shall be discussed **by councillors** unless it has been moved and seconded.

**19.3 There shall be no public participation on Motions Without Notice and officers will not normally participate unless, through the Chair, an officer has been requested to provide specific legal, financial or procedural information or a statutory officer needs to provide advice or guidance to the meeting.**

19.4 Where required by the Chair, motions or amendments shall be put in writing and handed to the Chair before they are discussed or put to the meeting. This requirement does not apply to motions Moved Without Notice under Procedure **Rule 19.20.**

19.5 At meetings other than those of full Council, the Chair of that meeting may at their 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.

### Seconder's Speech

19.6 When seconding a motion or amendment a councillor may advise the Chair that they will reserve their right to speak until a later period in the debate.

### Only one councillor to speak at a time

19.7 When speaking at a Council meeting a councillor shall if possible stand and address the Chair. Whilst a councillor is speaking the other councillors will remain seated, unless rising, if possible, on a Point of Order or in Personal Explanation.

### Content and length of speeches

19.8 A councillor will confine their speech to the question under discussion, a Personal Explanation or a Point of Order.

19.9 Except as indicated below, in the case of speeches made by councillors when the Council is agreeing a budget (Budget Council), or where the Council, committee or sub-committee otherwise agrees, the speech of the mover of the motion shall not exceed five minutes and all other speeches shall not exceed three minutes.

19.10 In advance of the meeting at which the Council is due to agree a budget, the Council's recognised political groups may agree a protocol which makes provision for a limited number of speeches to be made on behalf of each recognised political group, and which exceed the three-minute limitation contained in these Procedure Rules.

19.11 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 recognised political groups, whether and (if so) how any extension of the three-minute limitation might be permitted to operate.

### When a Councillor may speak again

19.12 At a Council meeting a councillor who has spoken on any motion shall not speak again whilst it is the subject of debate, except –

- (i) To speak once on an amendment moved by another councillor;
- (ii) If the motion has been amended since last they spoke, to move a further amendment;
- (iii) If their first speech was on an amendment moved by another councillor, to speak on the main issue (the substantive motion) whether or not the amendment on which they spoke was carried;
- (iv) In exercise of a right of reply given by Procedure **Rule 19.23 – 19.32**;
- (v) On a Point of Order referring to the specific Procedure Rule;
- (vi) By way of Personal Explanation; or



- (vii) To move one of the motions specified in Procedure Rule 19.20 when the procedure in those paragraphs shall be followed.

19.3 At a Council meeting a councillor who has spoken on any motion shall not speak again whilst it is the subject of debate, except –

- (i) At committees or sub-committee meetings councillors may, at the discretion of the Chair, speak more than once.

#### Amendments

19.4 An amendment must be relevant to the motion and shall be either –

- (i) To leave out words;
- (ii) To leave out words and add others; or
- (iii) To insert and/or add words.

Any such amendment shall not have the effect of negating the motion before Council.

19.5 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.

#### Notice of Amendments

19.6 A councillor who wishes to propose an amendment to a report included within the summons (other than in accordance with Procedure Rule XX) or a motion submitted in accordance with Procedure Rule XX, shall be required to submit the amendment to the Monitoring Officer no less than two clear working days before the day of the meeting. Amendments to reports of which notification has been included within the summons of the meeting may be moved without notice. The mover of any amendment may be required to provide a written copy of said amendment to the Chair prior to any debate on the amendment.

#### Number of Amendments

19.7 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.

#### Debate of reports containing recommendations

19.8 Where non-Executive reports are presented to Council which have been submitted by one of the Council's statutory officers and contain recommendations for deliberation and determination by the meeting these will

normally be presented by the statutory officer or their deputy, then the recommendations subsequently moved and seconded by councillors.

19.9 Where reports are presented to Council which contain recommendations for deliberation and determination by the meeting which have been referred through to Council by the Executive these will normally be presented by the Leader of the Council or an Executive Member, then the recommendations subsequently moved and seconded by councillors.

19.10 Where reports are presented to Council which contain recommendations for deliberation and determination by the meeting and relate to items listed in the approved Council Budget and Policy Framework, these will normally be presented by the Leader of the Council or an Executive Member, then the recommendations subsequently moved and seconded by councillors.

#### Report Recommendations and Amendments

19.11 No report shall be discussed or amended by councillors until it has been moved and seconded.

19.12 The mover of a report's recommendations may address Council for a maximum of five minutes. A seconder may address Council for up to three minutes or reserve their right to speak until later in the debate.

19.13 Where required by the Chair, amendments to recommendations shall be put in writing and presented to the Chair prior to being moved and seconded. The Chair and the Monitoring Officer will consider the proposed amendment prior to it being moved and seconded to ensure it is compliant with Procedure Rule 19.4.

19.14 A mover of an amendment may speak for a maximum of three minutes. A seconder may address Council for up to three minutes or reserve their right to speak until later in the debate.

#### Status of Amendments

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

#### Alterations to Motions

19.16 A councillor may alter a motion or amendment of which they have given notice and may also, with the consent of the seconder, alter a motion or amendment which they have moved. In both cases, the consent of Council (or the committee or sub-committee) is required. There should be no discussion on whether consent should or should not be given.

### Withdrawal of Motion

19.17 The mover may withdraw a motion or amendment provided the seconder agree. Once the mover has asked for permission to withdraw, there should be no further discussion.

### Summation of Motion/Amendment

19.18 The mover of the motion shall have the right to reply at the close of the debate on the motion immediately before it is put to the vote (3 minutes).

19.19 If an amendment is moved, the mover of the original motion shall have a right to speak on the amendment. The mover of the amendment shall have a right to reply at the close of the debate on the amendment immediately before it is put to the vote (3 minutes).

### Motions which may be moved during debate

19.20 When a motion is under debate no other motion shall be moved except the following –

- (i) To amend the motion (subject to Procedure Rule 19.4);
- (ii) To adjourn the meeting;
- (iii) To adjourn the debate;
- (iv) To proceed to the next business;
- (v) To suspend Procedure Rules;
- (vi) To refer a matter to the Council, the Executive, a committee or sub-committee for consideration or reconsideration;
- (vii) That the question be now put;
- (viii) That a councillor be not further heard;
- (ix) By the Chair under Procedure Rule 14.1 (xix) that a councillor do leave the meeting;
- (x) A motion under s.100A (4) of the Local Government Act 1972 (as amended) to exclude the press and public;
- (xi) To extend the guillotine (see Procedure Rule 10).

### Closure Motions

19.21 A councillor may move, without comment, at the conclusion of a speech of another councillor –

- (i) “That the Council proceed to the next business;”
- (ii) “That the question be now put;”
- (iii) “That the debate be now adjourned;”

(iv) “That the Council do now adjourn.”

19.22 When one of these motions has been seconded the Chair shall proceed as follows –

- (i) On a motion to proceed to next business – unless in the Chair’s opinion the matter before the meeting has been insufficiently discussed, they shall first give the mover of the original motion the right to reply, and then put to the vote the motion to proceed to next business.
- (ii) On a motion that the question be now put – unless in their opinion the matter before the meeting has been insufficiently discussed, they shall put to the vote the motion that the question be now put, if it is passed, give the mover of the original motion the right of reply before putting the motion to the vote.
- (iii) On a motion to adjourn the debate or the meeting – if the Chair’s opinion the matter before the meeting has been insufficiently discussed on that occasion, they shall put the adjournment motion to the vote without giving the mover of the original motion the right to reply on that occasion.

#### Points of Order and Personal Explanations

19.23 A councillor shall if possible stand (or where necessary instead raise their hand) on a point of order or in personal explanation and shall be entitled to be heard immediately. Whilst the councillor is speaking the other councillors will remain seated.

19.24 A point of order shall relate only to an alleged breach of the Procedure Rules or statutory provision and the councillor shall specify the Procedure Rule or statutory provision and the way in which they consider it to have been breached.

19.25 A councillor may request to address Council as a matter of Personal Explanation, regardless of whether they have already addressed Council on the agenda item under discussion, where another councillor speaking on the agenda item has “named” the councillor in their contribution and the “named councillor” feels that the other councillor has misquoted, distorted or misrepresented the “named councillors” contribution.

19.26 In moving the Personal Explanation, a councillor must not use the opportunity to contribute further to the debate or introduce new information or opinion, they must adhere to addressing the perceived misrepresentation, misquote or distortion only.

19.27 The Chair will determine whether the “named councillors” riposte is valid; if valid the councillor will be requested to withdraw or correct their remarks without further comment.

19.28 If a councillor continually is proven to be misrepresenting, misquoting or distorting the contribution of fellow councillors at a meeting, or a councillor is misusing the rules around Personal Explanation they may be subject to a motion to “not be heard further” for the duration of that meeting.

19.29 This Rule does not apply to other or previous meetings of the Council, remarks made at meetings of other bodies, or remarks made outside of the Council e.g., on social media.

19.30 The request for Personal Explanation must be made prior to the closure of the particular agenda item at which it was made.

19.31 The request for Personal Explanation cannot be requested by proxy.

19.32 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 for 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.

#### Respect for the Chair

19.33 At the Council meeting whenever the Chair rises during a debate a councillor then standing shall sit down and the Council shall be silent.

19.34 In committee or sub-committee meetings, whenever the Chair rises from their seat, the councillors should remain in their seats and the committee or sub-committee shall be silent.

### **20. Rescission of Earlier Resolution**

20.1 Subject to Procedure **Rule 17** at a meeting of the Council, no motion or amendment shall be moved to rescind any resolution of the Council which has passed within the preceding six-months or which is to the same effect as one which has been rejected within that period.

20.2 Such a motion may be moved if –

- (i) It is recommended by the Executive or a committee; or
- (ii) Notice of such motion has been given under Procedure **Rule 17** and signed by at least one-third of the total number of councillors (26 councillors) who include councillors from more than one recognised political group.

### **21. Voting**

21.1 Each councillor has one vote.

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

21.3 When a councillor asks for a recorded vote to be taken and 10% of the overall number of councillors stand in their places to support the request, the vote will be recorded to show whether each councillor voted for or against the proposal 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.

21.4 A recorded vote will not be taken if the vote has already begun to be taken by a show of hands.

- 21.5 A councillor may require after a vote is completed that the minutes of the meeting record how they voted or abstained. The request to be made immediately after the vote is taken.
- 21.6 A councillor may immediately after the item of business is voted upon request that a lost motion or amendment be recorded in the minutes.
- 21.7 Where there are equal votes cast on a motion or amendment the Chair or the person presiding will have a second or casting vote.

## **22. Offices and Appointments**

- 22.1 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.
- 22.2 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.
- 22.3 The Chair, or person presiding, will have a second or casting vote where the votes are equal.

## **23. Election of Chair of Committees and Sub-Committees**

- 23.1 The Chair of every committee excluding the Executive will be elected at the Annual Council Meeting where possible.
- 23.2 The Vice Chair of every committee will be appointed at the Annual Council Meeting where possible.
- 23.3 The councillor elected to each office must be a full member of the relevant committee.
- 23.4 The Chair (and if required the Vice Chair) of a sub-committee established by a committee will be appointed by the parent committee or the parent committee may defer those appointments to the sub-committee itself.
- 23.5 Where a vacancy occurs in an office on a committee or sub-committee during the Municipal Year, the relevant body will elect/appoint at its next ordinary meeting.
- 23.6 Unless Council decides otherwise, the election/appointment will be conducted by a show of hands and **may relate to a number of offices; Rule 21 will apply.**
- 23.7 Where a Chair and Vice-Chair are both absent from a meeting of a 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.

## **24. Urgent Business – Non-Executive Matters**

- 24.1 An item of urgent business which has to be decided before the next meeting of full 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.
- 24.2 Where any matter is urgent and cannot await the next scheduled meeting, the Head of Paid Service may take the necessary action, provided that they have first consulted the relevant Chair (or Vice Chair if the Chair is unavailable).
- 24.3 A copy of the consultation document shall be sent to the Leader of the Council, the appropriate Executive Member, the Chair of the Scrutiny Commission, the leaders of any recognised political groups and the councillors for the ward(s) concerned if the matter particularly affects one or more electoral areas.
- 24.4 Any such approval shall be in writing; consideration being given after consultation with the Chief Finance Officer and the Monitoring Officer (or in their absence their respective appointed deputies).
- 24.5 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 them to the Head of Paid Service and the Chief Finance Officer.
- 24.6 A report of any action under this Meeting Procedure Rule shall be made available by electronic means to all councillors.

## **Part B – Committee and Sub-Committee Meetings**

### **25. Programme of Meetings**

25.1 Meetings of committees and **standing** sub-committees will be set out in the Schedule of Meetings approved by full Council under Procedure **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 Proper Officer to determine subject to consultation with the relevant Chair and subject to any provisions within the Constitution.

**25.2 When it is necessary to alter the date, time and/or venue of a meeting, or to arrange an extraordinary meeting, the Proper Officer will consult the Chair of the relevant committee or sub-committee before any action is taken, explaining why action needs to be taken and/or the need for an extraordinary meeting, and why the business to be determined cannot wait for the next scheduled meeting of that particular committee or sub-committee.**

### **26. Quorum at Committees and Sub-Committees**

**26.1 No item of business will be transacted at a meeting of a committee or sub-committee unless the meeting is quorate in line with the agreed quorum for the respective committee or sub-committee as detailed within the Constitution. Where no quorum is specified the quorum shall be a minimum of three councillors.**

### **27. Minutes of Committees and Sub-Committees**

27.1 The minutes of a committee or sub-committee must be confirmed at its next scheduled meeting.

27.2 Only matters relating to the accuracy of the minutes can be raised. Where the accuracy is questioned the meeting will consider any amendment to the draft minutes.

27.3 Where no issues of accuracy are raised, or after any challenge on the accuracy of the minutes addressed, following a mover and seconder for acceptance of the minutes a vote shall be taken. If agreed the Chair shall sign the minutes.

27.4 The minutes of any sub-committee must be submitted to the next suitable meeting of the parent committee by the sub-committee Chair. The Chair of the parent committee will allow reasonable time for members of the parent committee the opportunity to ask questions or comment upon the minutes of the sub-committee. Questions or comment relating to exempt or confidential matters will need to be taken following exclusion of the press or public.

27.5 A parent committee cannot question the accuracy of a sub-committee minute. Any challenge to a sub-committee minute needs to be addressed at the next suitable meeting of the sub-committee.

## **28. Motions Moved without Notice at Committees and Sub-Committees**

28.1 Procedure **Rule 19.20** lists those motions and amendments which can be moved without notice.

## **29. Rules of Debate at Committees and Sub-Committees**

29.1 Procedure **Rule 19** sets out the rules of debate.

## **30. Voting at Committees and Sub-Committees**

30.1 Voting at committee and sub-committee meetings will be by show of hands.

30.2 A recorded vote will be required where any three councillors 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 councillor present gave their vote for or against the proposition or abstained from voting.

30.3 Where a recorded vote is not undertaken, a councillor may require, immediately after a vote is completed, that the minutes of the meeting record how they voted or abstained.

30.4 A councillor may request that a lost motion or amendment be recorded in the minutes by requesting this immediately after the vote is taken.

30.5 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.

## **31. Mover of a motion at full Council under Procedure **Rule 18** – Attendance at the Executive, Committees or Sub-Committees**



31.1 Where a motion has been referred under Procedure **Rule 18** from the full Council to the Executive, a committee or sub-committee for consideration and report, the mover of the motion has the right to attend the meeting and explain the motion.

31.2 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 they will be sent a copy of the relevant papers.

### **32. Requests by Members for items of business to be included on agendas of a committee or sub-committee**

32.1 This Procedure 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.

32.2 This Rule does not apply to special/extraordinary meetings of the Executive, committees or sub-committees.

32.3 A councillor may, by notice to the Proper 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.

32.4 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 the councillor. A notice may be submitted electronically and bear an electronic signature, provided the notice has been originated by that councillor.

32.5 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 six months.

32.6 Items arising from such notices shall appear on the agenda after the ordinary public or private agenda items accordingly.

32.7 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 a particular body, included on the agenda and discussed at the next ordinary meeting of that body. **The restrictions in Procedure Rule 32.4 above on the number of items shall not apply to items submitted under this paragraph.**

### **33. Committee and Sub-Committee – Urgent Items of Business**

33.1 Normally business will only be transacted at meetings of committees and sub-committees which appear in the agenda and which have 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.

33.2 The Chair of the committee or sub-committee may agree to deal with an item of business at the meeting if 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.

**34. Attendance of Councillors at Committee and Sub-committees of which they are not members**

34.1 Notwithstanding their rights as a member of the public, a councillor may attend any meeting of a committee or sub-committee to which they have not been appointed, for the purposes of performing their duty as a councillor, including where exempt, private or confidential business is to be discussed.

34.2 A councillor will be given, when they arrive at the meeting, a copy of the agenda and relevant papers, subject to any restrictions imposed under the Access to Information Procedure Rules.

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

**35. Overview and Scrutiny Committees and Sub-Committees**

35.1 In applying these Rules to committees and sub-committees established to undertake the Council's scrutiny responsibilities, regard shall be had to the Overview and Scrutiny Rules which are contained in Part 7 of this Constitution.

**36. Executive Advisory Panels (EAP)**

36.1 The Executive may establish an Executive Advisory Panel. Details relating to these Panels can be found in Part 5.2 of this Constitution.

36.2 Meetings of the Panels are not covered by the Local Government Act 1972 (as amended) but will seek to operate utilising the requirements under said Act.

36.3 The Panel will seek to operate under normal meeting procedure rules and conventions.

36.4 Meetings of the Panel are open to public attendance unless exempt or confidential information is to be discussed. Broadcast by virtual means will be accepted as "open to public attendance."

**Part C – General Provisions**

**37. Records of Attendance**

37.1 The Proper Officer will keep a record of councillors attending any meeting of the Council, the Executive, a committee or sub-committee.

37.2 For the purposes of the "six-month rule," attendance will be at such meetings where the councillor is named on the summons of that meeting.

37.3 Attendance at a meeting using virtual technology where the Local Government Act 1972 (as amended) is in force, will not constitute attendance for the

purposes of the “six-month” rule and the councillor not present will not have voting rights.

### **38. Disclosure of confidential/exempt matters**

38.1 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 press by or on behalf of the Council, the Executive, a committee or sub-committee.

38.2 A decision on the declassification of documents will be made by the Proper Officer, following consultation with the Monitoring Officer or their designated deputy.

38.3 No councillor shall disclose to any person other than another NNC councillor any matter arising during the proceedings of the Council, the Executive, a committee or a sub-committee and which comes to their knowledge by virtue of their office as a councillor where such disclosure would prejudice the interest of the Council or would be contrary to law.

38.4 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 –

- (i) When a report on the matter has been circulated to the Council by that body; or
- (ii) When the decision has become public knowledge; or
- (iii) 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 Procedure Rules 38.1 or 38.2.

### **39. Disorderly conduct by Councillors**

39.1 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.

39.2 If the councillor continues the misconduct after a motion under Procedure Rule 19.20 (ix) 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.

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

### **40. Disturbance by Members of the Public**

40.1 If a member of the public interrupts the proceedings at any meeting the person presiding shall issue a warning to them. If they continue, the person presiding

shall order their removal from the meeting. In cases of general disturbance in any part of the meeting room open to the general public, the person presiding shall order that part to be cleared.

#### **41. Variation and Revocation of Procedure Rules**

41.1 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.

#### **42. Suspension of Procedure Rules**

42.1 Subject to Rule 38 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 and agreed except where this would be in contravention of statute.

42.2 A motion to suspend Procedure Rules shall not be moved without notice (that is under Procedure **Rule 19.20 (v)**) unless there shall be present at least one-third of the membership of the Council (26 councillors), or that committee or that sub-committee, respectively.

#### **43. Interpretation of Procedure Rules**

43.1 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, committee or sub-committee shall not be challenged at the meeting.

43.2 The person presiding, prior to enacting Procedure **Rule 39** shall consult on any question of interpretation with the Monitoring Officer, or in their absence their designated nominee.

#### **44. Submission of Notices by Councillors – Electronic Means**

44.1 A councillor may communicate, by electronic means using their Council email address, any notice under any of the Council's Procedure Rules to initiate any process or procedure provided it is clear that that councillor has originated the notice.

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## Democracy & Standards Committee 7<sup>th</sup> November 2022

Report Title	Proposals for a Scrutiny Review
Report Author	Adele Wylie Director of HR & Governance/Monitoring Officer Adele.wylie@northnorthants.gov.uk
Executive Member	N/A

Are there public sector equality duty implications?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information (whether in appendices or not)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicable paragraph number/s for exemption from publication under Schedule 12A Local Government Act 1972	

### List of Appendices

- Appendix A – Copy of presentation slides
- Appendix B – Proposed scrutiny structure
- Appendix C – Indicative timetable

### 1. Purpose of Report

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- 1.1. For the Committee to initiate a consultation on the current scrutiny arrangements of the Council following a review by the Council's Monitoring Officer.

### 2. Executive Summary

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- 2.1. The Council has a general requirement to review its governance arrangements to ensure compliance with legislation and ensure its decision-making structures allow for efficient and effective decision making. The role of scrutiny has an important role in ensuring that the Executive are held to account and that key decisions are made in an appropriate manner, taking all relevant factors into account.
- 2.2. It is important that scrutiny is focused and effective, helping to ensure that policy making is improved and efficiency of delivery of services to the public maximised.

### 3. Recommendations

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#### 3.1. The Committee –

- (i) Approve the principles contained in the Monitoring Officer's presentation (Appendix A & B) as the basis for wider consultation on the future structure of scrutiny within the Council; and
- (ii) Approve the indicative timetable (Appendix C) for consultation on, and determination of, the proposals within the presentation and report.

#### 3.2. *Reason for Recommendations – To instigate a debate and consultation into consideration of the future structure of the scrutiny function within the governance arrangements of the Council, in order for the Council to fulfil its statutory obligations.*

#### 3.3. *Alternative Options Considered – Any comments and suggestions submitted under the proposed consultation would be reported back to the Committee for consideration prior to any recommendation(s) to Full Council.*

### Report Background

3.4. North Northamptonshire Council operates an executive model of governance and is required under statute to operate at least one scrutiny committee.

3.5. The purpose of the scrutiny function is to influence policies and decisions made by the Executive and other organisations delivering services to the public. This is achieved by reviewing key decisions made by the Executive, investigating important service delivery and strategic policy issues (i.e. through task & finish groups) and where appropriate through the call-in procedure challenging key decisions made.

3.6. Since Vesting Day, the Council has operated with two scrutiny committees. The Scrutiny Commission is an overarching body which is able to establish topic-specific task & finish groups undertaking work on the approved Scrutiny Workplan. The Finance & Resources Scrutiny Committee specifically scrutinises and monitors the finances of the Council, with particular attention to in-year monitoring of spend and input into consultation on the draft budget for future years (as part of the budget-setting process and consultation).

3.7. As the Annual Scrutiny Report 2021/22 recently presented to Full Council demonstrated, the scrutiny function of the Council has developed well since Vesting Day with some important work undertaken. It is recognised however that the quantity of work required to be undertaken exceeds existing capacity and that there is a need to review scrutiny arrangements at both member and officer level. In particular, it is recognised that scrutiny's role in relation to other public service providers requires enhancement.



## 4. Issues and Choices

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- 4.1. There is a need to ensure greater effectiveness and transparency in relation to the workload of the scrutiny function within the council. Current arrangements can lead to potential delays in undertaking work and duplication. To offset this, it is being recommended within the presentation that a Scrutiny Management Board (SMB) be established. This Board would comprise the chairs and vice-chairs of the scrutiny committees. The Board would manage the workload of the scrutiny function, ensuring that topics from the overall agreed Workplan and that call-ins were directed to the appropriate body. The role of the Board would be the allocation of work; outcomes and investigation would be the responsibility of the respective scrutiny committee.
- 4.2. The Board would also have an important role in liaising with any Executive Advisory Panels (EAPs) established by the Leader, to ensure there was not duplication of effort and that the policy development role of the EAPs was respected.
- 4.3. It is recognised that scrutiny needs to be outward facing as well as considering the Council's own service delivery. The relationship with key partners is important particularly with partners such as the NHS, the Police etc. The Board will have a key role in ensuring partner engagement is enhanced in any new structure.
- 4.4. The Council has a statutory duty to scrutinise health. There is a strategic role in reviewing how the integration of health, public health and social care is working to ensure maximum outcomes can be achieved for the benefit of the public. This is a statutory role and it is recognised that this needs to be enhanced in any future scrutiny structure. In addition it is recognised that a key element linked to health objectives is ensuring low levels of crime and disorder. Consideration of crime and disorder issues and scrutiny of the Community Safety Partnership is an area requiring attention. It is therefore being proposed that a Health Scrutiny Committee be created to undertake these statutory roles.
- 4.5. In relation to the Council's corporate objectives around Place and Economy it is recognised that there are a number of significant projects ongoing and some key elements of service delivery requiring regular review of performance e.g. the highways contact. It is therefore being proposed that a Place and Economy Scrutiny Committee be created.
- 4.6. Corporate scrutiny is currently being undertaken by both the Scrutiny Commission and the Finance & Resources Scrutiny Committee. This can cause duplication of effort and not allow the effective use of both member and officer resources. Matters relating to partnerships and companies (currently under the remit of the Scrutiny Commission) would be better aligned with finance and performance. It is therefore being proposed that a Corporate Scrutiny Committee be created.

4.7. Details regarding the key priorities of the Board and the three proposed scrutiny committees are detailed in Appendix C. This appendix would form the basis of any wider consultation subject to approval by the Committee.

4.8. It is proposed that each committee would meet on a monthly basis and be comprised of 11 members, subject to political proportionality. The Board and committees would continue to be supported by senior officers but in addition dedicated scrutiny officers would also be engaged in supporting the work of the new structure. In addition external support can be provided where it is considered this would add value to the work of the committees.

## **5. Next Steps**

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5.1. Subject to the Committee's approval, the indicative timetable detailed in Appendix C would be followed.

## **6. Implications (including financial implications)**

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### **6.1. Resources and Financial**

6.1.1. If there is an increase in the number of scrutiny committees to three then an additional Chairs Allowance would be applicable. This can be met from the allowance allocation.

6.1.2. Contained within the current Democratic Services restructure are two posts dedicated to supporting the scrutiny function of the Council. Other officers would supplement this resource as required.

### **6.2. Legal and Governance**

6.2.1. The Council is required to establish at least one scrutiny committee. The proposal submitted for consultation will assist in enhancing the role of scrutiny within the Council and provide additional support in meeting the Council's responsibilities detailed under statute and within statutory guidance. If Council eventually approves the proposal, there would be the need for consequential amendments to be made to the Constitution.

### **6.3. Relevant Policies and Plans**

6.3.1. It is suggested that adoption of the proposals within the report would assist in meeting the good practise highlighted in the Government's statutory guidance on overview and scrutiny within local government and assist in ensuring that there is appropriate scrutiny of the Council's objectives set out in the approved Corporate Plan.

#### **6.4. Risk**

- 6.4.1. Whilst the current scrutiny system operated within the Council has been effective the current arrangements have limitations and there have been concerns raised regarding its limitations. In addition there is a need to ensure that duplication of effort is minimised and that important areas requiring scrutiny are properly resources and considered.
- 6.4.2. It is suggested that the proposals would build on the foundations established since Vesting Day and would ensure an expanded capacity. The proposal also clarifies the role of scrutiny within the governance structure of the Council and its relationship with EAPs.
- 6.4.3. Failure to address the issues raised in the report and presentation would limit the potential for the Council's scrutiny function to expand and enhance its effectiveness.

#### **6.5. Consultation**

- 6.5.1. The proposal contained in this report and appendices were considered by the Constitutional Working Group (CWG) at its meeting on 24<sup>th</sup> October 2022. The Group are recommending that the Committee endorse the proposals for wider internal and external consultation.

#### **6.6. Consideration by Executive Advisory Panel**

- 6.6.1. Not applicable.

#### **6.7. Consideration by Scrutiny**

- 6.7.1. Current scrutiny members will be consulted as part of this review process.

#### **6.8. Equality Implications**

- 6.8.1. None impacting on the nine protected characteristics defined in the Equality Act 2010.

#### **6.9. Climate Impact**

- 6.9.1. Not applicable to this report.

#### **6.10. Community Impact**

- 6.10.1. Not applicable to this report.

#### **6.11. Crime and Disorder Impact**

- 6.11.1. Not applicable to this report.

## **7. Background Papers**

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- 7.1. Constitutional Working Group presentation 24.10.22.
- 7.2. Council's Constitution
- 7.3. Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities (May 2019)

# Proposals for a Scrutiny Review – Constitution Working Group 24 October 2022

# Current Arrangements

As the Council operates an executive model of governance, it is required under Section 9F of the Local Government Act 2000 to have at least one Scrutiny Committee.

The purpose of the Committee is to influence the policies and decisions made by the Council and other organisations involved in delivering public services. They do this through meeting regularly and having input into decisions before they are made, investigating important public issues through Task and Finish Groups and where appropriate challenging or reviewing decisions once they are made through the Call In Procedure Rules.

The Scrutiny Committees can scrutinise and review decisions made or actions taken in connection with the discharge of any Council functions.

The Council has two Scrutiny Committees which perform all scrutiny functions on behalf of the Council;

- An overarching Scrutiny Commission which is able to establish task and finish groups completing work on the agreed workplan. This Committee has its own workplan and also provides co-ordination of a number of task and finish groups
- A Finance and Resources Scrutiny Committee to specifically scrutinise and monitor the finances of the Council

Both Committees meet monthly (an increase from the previous year and therefore hold 24 meetings per year as well as Chair Briefings and Task and Finish Groups).

# Workplan

The ownership of the Scrutiny Workplan by the Scrutiny Commission does allow control but it also adds a layer of bureaucracy when a Task and Finish Group is recommended to the Finance and Resources Committee to review. The latest example of this is the Maintained Nursery Review where the Terms of Reference bounced between the Committees for a period of time.

There is duplication between the Committees in relation to performance data which is not an effective use of member/officer time.

The Scrutiny Conference where all members identified topics for review worked well and has formed the basis of the Workplan.

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The Commission review the Forward Plan at each meeting which results in lots of ideas for things to review being considered and on average this debate can last for up to an hour. A more structured approach would enable the Chairs of the Commission to determine requests for additions to workplans outside of the meeting.

Meetings are lengthy and the Commission have on almost all occasions gone past the guillotine. No further items could therefore be added to the Workplan.

## Initial Proposal

Allow all Committees to agree the Workplans for the Committees through a Scrutiny Management Board.

# Being clear about Scrutiny's role

Statutory scrutiny guidance states that it should have a clear role and focus within the organisation. There should be clear divisions of responsibilities between the EAPs, Audit and Scrutiny.

There is confusion between the role of EAPs and Scrutiny which is outlined earlier.

## Initial Proposal

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Create a Scrutiny Management Board which will oversee the Workplan and agenda planning and encourage greater co-ordination between the work of EAPs and Scrutiny to reduce the potential for duplication of effort.



# The authority's partners

Scrutiny should be outward facing as well as inward facing. Relationships with other partners will be important to ensuring that scrutiny is reviewing the right things. This is particularly important for public sector partners such as the NHS and community safety partners, over which scrutiny has specific legal powers.

Scrutiny has invited Kettering General Hospital into Scrutiny Committee once but no other partners have been involved in Scrutiny Committees.

## Initial Proposal

Scrutiny Management Board to have partner engagement on its agenda as a standing item.

# Health Scrutiny

The Council has a statutory duty to scrutinise health. The primary aim of health scrutiny is to strengthen the voice of local people, ensuring that their needs and experiences are considered as an integral part of the commissioning and delivery of health services and that those services are effective and safe.

Strategic role is in taking an overview of how well integration of health, public health and social care is working.

To proactively seeking information about the performance of local health services and institutions  
Outcome focussed, looking at cross cutting issues, including general health improvement, wellbeing and how  
well health inequalities are being addressed

Whilst the Council has conducted health scrutiny, it is not undertaking it effectively. The Health EAP is undertaking some of the functions however this is against scrutiny legislation.

A key element of this area is also Crime and Disorder and scrutinising the CSP. Clearly, this is linked to health objectives in North Northamptonshire.

## Initial Proposal

Create a Health Scrutiny Committee to undertake the statutory scrutiny role.

# Place and Environment Scrutiny

The Council has a statutory duty to scrutinise flood. An annual report should be included in the Workplan and there is not sufficient capacity to do this at the current time.

There are a number of significant projects ongoing in place and it is essential that there is adequate time to scrutinise them. In particular, members have indicated that they want to review performance of the highways contract on an ongoing basis.

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## Initial Proposal

Create a Place and Economy Scrutiny Committee

# Corporate Scrutiny

Corporate scrutiny is currently being undertaken by both the Commission and Finance and Resources Committee. This can cause confusion for some items and also duplication (performance is scrutinised in both Committees)

Finance and Resources Committee has a vital role in budget monitoring however this would be better linked to matters such as partnerships and companies which would currently fall under the remit of the Commission.

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[Initial Proposal](#)

Create a Corporate Scrutiny Committee

## Proposed Scrutiny Structure

## Appendix B

Corporate Priority	Key Priorities	Notes	Responsible Officer
<b>Scrutiny Management Board (SMB)</b>	Responsible for preparing the Work Plan for Scrutiny Committee, which once approved would be circulated to all NNC councillors and relevant officers.	Membership to include 3 x Chairs and 3 x Vice Chairs Executive Forward Plan sent in advance of meeting. Members can complete form to request that an item be scrutinised and why. Board will determine (by consensus) if it should come forward. Agendas agreed in this meeting.	Statutory Scrutiny Officer
<b>Corporate Scrutiny Committee</b>	<ul style="list-style-type: none"> <li>Budget Monitoring</li> <li>Budget Review</li> <li>Corporate Performance</li> <li>Council Buildings and Resources</li> <li>Enabling Services e.g. IT</li> <li>Outside Bodies</li> <li>Children's Services</li> <li>Customer Services (inc. complaints, requests for information)</li> </ul>	<ul style="list-style-type: none"> <li>Inward Facing</li> <li>Membership 11 councillors</li> <li>Political balance</li> <li>Monthly meetings</li> </ul>	Executive Director of Finance and Performance
<b>Place and Environment Scrutiny Committee</b>	<ul style="list-style-type: none"> <li>Transport</li> <li>Regeneration</li> <li>Neighbourhoods</li> <li>Housing</li> <li>Highways</li> <li>Climate</li> <li>Flood Risk (statutory only)</li> <li>Leisure</li> <li>Tourism</li> <li>Highways</li> <li>Social Housing</li> <li>Enviro-crime</li> <li>Waste</li> <li>Performance</li> </ul>	<ul style="list-style-type: none"> <li>Outward Facing</li> <li>Membership 11 councillors</li> <li>Political balance</li> <li>Monthly meetings</li> </ul>	Executive Director of Place and Economy
<b>Health and Wellbeing Scrutiny</b>	<ul style="list-style-type: none"> <li>Protection and safeguarding of adults</li> <li>Mental Health and Wellbeing</li> <li>Experiences and outcomes for patients</li> <li>Public Health and healthy lives</li> <li>Health Services</li> <li>Education</li> <li>Domestic Violence</li> <li>Anti-Social Behaviour</li> <li>Crime and Disorder (statutory duty)</li> <li>Performance</li> </ul>	<ul style="list-style-type: none"> <li>Outward Facing</li> <li>Membership 11 councillors</li> <li>Political balance</li> <li>Monthly meetings</li> <li>Right to co-opt under the Education Act and NHS Act 2006</li> </ul>	Executive Director of Adults, Health Partnerships and Housing

Current 2022/23 Task & Finish Groups – Maintained Nurseries, Asset Realisation, Outside Bodies (pending), Budget Setting 2023/24 (pending).

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**CONSULTATION AND DETERMINATION TIMETABLE**

**Appendix C**

<b>TIMELINE OPTION 1</b>			<b>TIMELINE OPTION 2 (CWG recommended option)</b>	
<b>DATE</b>	<b>ACTION</b>		<b>DATE</b>	<b>ACTION</b>
24.10.22	Proposals discussed by the Constitutional Working Group (CWG)		24.10.22	Proposals discussed by the Constitutional Working Group (CWG)
07.11.22	Report to Democracy and Standards Committee		07.11.22	Report to Democracy and Standards Committee
08.11.22	Consultation Period		08.11.22	Consultation Period
– 23.12.22			– 24.02.23	
09.01.23	Report to Democratic and Standards Committee		13.03.23	Report to Democratic and Standards Committee
26.01.23	Report to Full Council <i>(implementation date to be agreed)</i>		30.03.23	Report to Full Council <i>(implementation date to be agreed)</i>

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