

Democracy & Standards Committee

9th January 2023

Report Title	Meeting Procedure Rules & Budget Council Procedure Rules
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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	N/A

List of Appendices

Appendix A – Copy of revised draft Meeting Procedure Rules

Appendix B – Budget Council Procedure Rules

1. Purpose of Report

- 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. The Committee received an earlier draft version at its meeting on 7th November 2022. The current draft is attached as Appendix A.
- 1.2. In addition, since the Committee's previous meeting the CWG considered revised Budget Council Procedure Rules (which are also contained in Part 3.2 of the Constitution). The suggested revised Rules are attached as Appendix B.

2. Executive Summary

- 2.1. Following discussion by the Constitutional Working Group (CWG), it is being recommended that certain amendments be made to the Meeting Procedure

Rules and the Budget Council 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

- (a) That the revised Meeting Procedure Rules (as detailed in Appendix A) be submitted to Full Council for approval.
- (b) That the revised Budget Council Procedure Rules (as detailed in Appendix B) be submitted to Full Council for approval.

3.1. *Reason for Recommendations – Following review of the operation of the Meeting Procedure Rules and Budget Council 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

- 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 Meeting Procedure 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. Within Part 3.2 of the Constitution, there are separate rules which apply to Budget Council (held in February each year). CWG has considered revisions to these rules; a copy of the revised rules are attached at Appendix B.
- 4.5. 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

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 since the Committee meeting on 7th November 2022 include: -

- Rule 1.3 The decision for ordinary meetings of Full Council to commence at 6:00 pm has been incorporated;
- Rule 2.3 (xiii) narrative expanded;
- Rule 18.6 clarifying issues during any pre-election period;
- Rule 19.16 reformatted paragraph;
- Rule 19.3 clarifying the procedure to be followed and the outcome of “Closure Motions”;
- Rule 38 Issues surrounding the disclosure of confidential/exempt matters.

Checks on cross-referencing and paragraph numbering have also been undertaken.

With regard to the Budget Council Procedure Rules, Rule 11 was added by the CWG in discussion, and Rule 10 has been added since CWG met.

6. Next Steps

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

7. Implications (including financial implications)

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 which has the rules covering Budget Full Council included as an appendix.

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 22nd August 2022, 17th October 2022 & 12 December 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

- 8.1. NNC Council Constitution.
8.2. Constitutional Working Group Discussion Paper 22/08/22, 17/10/22 & 12/12/22.