

Full Council 26th January 2023

Report Title	Meeting Procedure Rules & Budget Council Procedure Rules
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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 Meeting Procedure Rules

Appendix B – Copy of revised Budget Council Procedure Rules

1. Purpose of Report

- 1.1. For Council to consider revisions to the current Meeting Procedure Rules. Both the Constitutional Working Group (CWG) and the Democracy and Standards Committee considered this report. The Committee at its meeting held on 9th January 2023 agreed to recommend the revised rules to Council for ratification.

2. Executive Summary

- 2.1. Following discussion by the Constitutional Working Group (CWG) and the Democracy and Standards Committee, 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 approved, with Part A 1.1 effective immediately with other amendments effective from the close of the meeting; and
- (b) That the revised Budget Council Procedure Rules (as detailed in Appendix B) be approved effective from the close of the meeting.

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 Democracy and Standards 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). The Committee has considered revisions to these rules; a copy of the revised rules is 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 the Democracy and Standards Committee 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 and the Committee include: -

- Rule 1 enables the Council to agree its Municipal Timetable at any Full Council meeting not just at Annual Council;
- 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 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 18.6 clarifying issues during any pre-election period;
- Rule 19.3 clarifying the procedure to be followed and the outcome of "Closure Motions";
- 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 19.16 reformatted paragraph;
- 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 Issues surrounding the disclosure of confidential/exempt matters.
- 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.

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

6. Next Steps

6.1. Council are being requested to approve the amended Meeting Procedure Rules and Budget Council Procedure Rules.

6.2. Given that Part A 1.1 relates to the Municipal Timetable, the adoption of which for 2023/24 is listed elsewhere on the agenda of Council, it is proposed

if agreed, that amendment is effective immediately. Any other amendments to be effective from the close of the Council meeting.

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. The Democracy and Standards Committee considered this item at its meetings on 7th November 2022 and 9th January 2023. The Committee is also recommending approval.

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 Papers 22/08/22, 17/10/22 & 12/12/22.

8.3. Democracy and Standards Committee Agendas 07/11/22 & 09/01/23.