

Appendix 8 – Committee procedure rules

1. Time and place of meetings
2. Notice of meetings
3. Chair of meeting
4. Appointment of substitute Members of committees and sub-committees
5. Questions by the public at Committees
6. Questions by Members
7. Rules of debate
8. Minutes
9. Record of attendance
10. Exclusion of public
11. Members' conduct
12. Disturbance by public
13. Interest of Members in contracts and other matters
14. Suspension and amendment of Committee Procedure Rules
15. Committees
16. Voting in Committees
17. Adjournment of committee meetings
18. Rights of other Members to attend committee meetings
19. Interpretation of Rules of Procedures

1. Time and place of meetings

- 1.1 The time and place of meetings will be determined by the Assistant Director of Governance (Democratic and Regulatory Services) and notified in the summons.

2. Notice of meetings

- 2.1 The Assistant Director of Governance (Democratic and Regulatory Services) will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules of the Constitution. At least five clear days before meetings, the Assistant Director of Governance (Democratic and Regulatory Services) will circulate to relevant Members the agenda for the meeting setting out the date, time and place of the meeting and specifying the business to be transacted.

3. Chair of meeting

- 3.1 The person presiding at the meeting may exercise any power or duty of the chair.

4. Appointment of substitute members of committees

- 4.1 Group Leaders can nominate all their members to be substitutes for appointed members of Committees and Sub-Committees, except in the case of regulatory committees where substitutes will be drawn from a nominated panel and in the case of the Planning regulatory Committee, trained members.
- 4.2 Notice of a substitution must be given by the appointed member or the relevant political assistant to the Assistant Director of Governance (Democratic and Regulatory Services) (through the appropriate committee clerk) indicating the name of the substitute, before the commencement of the particular meeting.
- 4.3 Cancellation of the intention to substitute will not be effective until notified by the appointed Member or the relevant political assistant before the commencement of the meeting. If, after advance notice has been given, the appointed Member is present when the meeting begins, the substitution will not have effect for that meeting.
- 4.5 If the appointed Member arrives when the meeting is in progress, the substitution will remain effective and the appointed Member will not be

allowed to speak (except as a local Member on a matter affecting their Division) or vote. It is not possible to substitute for part of a meeting.

- 4.6 At the commencement of the meeting the Chair/Committee Clerk will inform the Committee/Sub-Committee of substitution(s).
- 4.7 Cabinet Members may not act as substitutes on the Scrutiny Committee.
- 4.8 Cabinet Members may only act as substitutes on the Standards Committee if they are substituting for a Cabinet Member who has been appointed to that Committee.

5. Questions by the public at committees

- 5.1 A person resident in Norfolk, or who is a non-domestic ratepayer in Norfolk, or who pays Council Tax in Norfolk may ask at a meeting of the Scrutiny or Select Committees through the Chair any question on any matter in respect of the Committee's remit. Eligibility to ask questions does not extend to County Council employees asking questions relating to their employment.
- 5.2 The Assistant Director of Governance (Democratic and Regulatory Services) may reject a question if it:
 - (a) Is not about a matter for which the Committee has responsibility;
 - (b) Is defamatory, frivolous or offensive or has been the subject of a similar question in the last 6 months or the same as one already submitted under this provision;
 - (c) Requires the disclosure of confidential or exempt information, as defined in the Council's Access to Information Procedure Rules

5.3 Notice of questions

- 5.3.1 A question under this Rule may only be put if either:
 - (i) At least 2 working days' notice of the question is given in writing to the Head of Governance and Regulatory Services; e.g. by 5.00 p.m. on the Wednesday preceding the Scrutiny or Select Committee meeting on Monday;or
 - (ii) The question relates to urgent matters and it has the consent of the chair to whom the question is to be put, and the content of the question is given to the Assistant Director of Governance (Democratic and Regulatory Services) by 9.30 a.m. on the day of the meeting.

5.4 Number of questions

- 5.4.1 At any Scrutiny or Select Committee meetings, the number of questions which can be asked will be limited to one question per person plus a supplementary. No more than one question plus a supplementary may be asked on behalf of any one organisation. No person shall be entitled to ask in total under this provision more than one question and a supplementary in any six-month period.
- 5.4.2 Questions are subject to a maximum word limit of 110 words. Questions that are in excess of 110 words will be disqualified. The total time for public questions will be limited to 15 minutes. Questions will be put in the order in which they are received. A supplementary question may be asked without notice and should be brief (fewer than 75 words and take less than 20 seconds to put). It should relate directly to the original question or the reply. The Chair may reject any supplementary question they do not consider compliant with this requirement.

5.5 Response

- 5.5.1 The Chair shall exercise their discretion as to the response given to the question and any supplementary. If the person asking the question indicates they will not be attending the Committee, a written response will simply be sent to the questioner. If the person asking the question has indicated they will attend, response to the questions will be made available in the Committee Room in writing before the start of the meeting and copies of the questions and answers will be available to all in attendance. The responses to questions will not be read out at the meeting. The Chair may give an oral response to a supplementary question or may require another Member or officer to answer it. If an oral answer cannot be conveniently given, a written response will be sent to the questioner within seven days of the meeting.
- 5.5.2 If the person who has given notice of the question is not present at the meeting or if any questions remain unanswered within the 15 minutes allowed for question, a written response will be sent within seven working days of the meeting.

6. Questions by Members

- 6.1 A member of a committee may at any meeting of that committee ask through the chair any question within the terms of reference of the committee. In addition, any Member of the Council may at any committee meeting ask a

question, make comments or raise issues on any significant matter affecting the Division of the Member within the committee's terms of reference.

6.2 Notice of questions

6.2.1 A Member may only ask a question under this Rule if either:

(i) they have given at least 2 working days' notice of the question in writing to the Head of Governance and Regulatory Services; e.g. by 5.00 p.m. on the Wednesday preceding a Committee meeting on Monday;

or

(ii) The question relates to urgent matters and they have the consent of the chair to whom the question is to be put, and the content of the question is given to the Assistant Director of Governance (Democratic and Regulatory Services) by 9.30 a.m. on the day of the meeting.

6.3 Number of questions

6.3.1 The number of questions which can be asked at a Committee meeting under this Rule will be limited to two per Member (or one question plus a supplementary). A Member who asks two substantive questions will not be entitled to ask any supplementaries. Substantive questions are subject to a maximum word limit of 110 words. Substantive questions that are in excess of 110 words will be disqualified. The total time for Member questions will be limited to 15 minutes.

6.4 Response

6.4.1 Responses to the substantive questions will be given to the questioner in writing before the start of the meeting and copies of the questions and answers will be available to all in attendance. The responses to substantive questions will not be read out at the meeting. A questioner who asks only one substantive question will be entitled to ask a supplementary question and if they do so, a response to it will be given orally by the Chair or such other Member or officer as is determined by the Chair. Supplementary questions are subject to a limit of 75 words. If a response to a supplementary question cannot conveniently be given orally, a written answer will be sent to the questioner within seven working days of the meeting.

6.4.2 If the Member who has given notice of the question is not present at the meeting or if any questions remain unanswered within the 15 minutes allowed for questions, a written response will be sent to the questioner within seven working days of the meeting.

7. Rules of debate

4.1 The Chair shall first explore through debate if there is a consensus on the views to be expressed by the Committee. If there is no consensus, the Chair will ask if any Member wishes to move a formal motion as to the view to be expressed by the Committee.

7.2 No debate or vote until motion seconded

7.2.1 No motion will be debated or voted upon after the mover has moved a proposal (other than a motion that the report of a committee or a recommendation within it be received and adopted) until the motion has been seconded.

7.3 Right to require motion in writing

7.3.1 Unless notice of the motion has already been given, the Chair may require it to be written down and handed to Them before it is discussed. The motion will be read out to the committee before any vote upon it is taken.

7.4 Secunder's speech

7.4.1 When seconding a motion or amendment, a Member may reserve their speech until later in the debate.

7.5 Content and length of speeches

7.5.1 Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed 5 minutes without the consent of the chair.

7.6 When a Member may speak again

7.6.1 A Member who has spoken on a motion may not speak again whilst it is the subject of debate, except;

(a) to speak once on an amendment moved by another Member;

(b) to move a further amendment if the motion has been amended since they last spoke;

(c) if their first speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which they spoke was carried);

- (d) in exercise of a right of reply;
- (e) on a point of order; and
- (f) by way of personal explanation;
- (g) to demand a recorded vote;
- (h) to move the suspension of these procedural rules;
- (i) to move a resolution under paragraph 7.10 of these Rules;

7.7 Amendments to motions

7.7.1 An amendment to a motion must be relevant to the motion and will either be:

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

as long as the effect of (i) to (iii) is not to negate the motion.

7.7.2 Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.

7.7.3 If an amendment is not carried, other amendments to the original motion may be moved.

7.7.4 If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.

7.7.5 After an amendment has been carried, the chair will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

7.8 Alteration of motion

7.8.1 A Member may alter a motion of which they have given notice with the consent of the meeting. The meeting's consent will be signified without discussion.

7.8.2 A Member may alter a motion which they have moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.

7.8.3 Only alterations which could be made as an amendment may be made.

7.9 Withdrawal of motion

7.9.1 A Member may withdraw a motion which they have moved with the consent of the seconder. No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

7.10 Motions which may be moved during debate

7.10.1 When a motion is under debate, no other motion may be moved except the following procedural motions:

- a. to withdraw a motion;
- b. to amend a motion;
- c. to postpone consideration of the motion;
- d. to proceed to the next business;
- e. that the question be now put;
- f. to adjourn a debate;
- g. to adjourn a meeting;
- h. to exclude the public and press in accordance with the Access to Information Rules; and
 - (i) to not hear further a Member named under Rule 11.3 or to exclude them from the meeting under Rule 11.4.
 - (j) that the procedural rules be suspended

7.11 Closure motions

7.11.1 A Member may move, without comment, the following motions at the end of a speech of another Member:

- (i) that consideration of the motion be postponed;
- (ii) to proceed to the next business;
- (iii) that the question be now put;
- (iv) to adjourn a debate; or
- (v) to adjourn a meeting.

- 7.11.2 If a motion to proceed to next business is seconded and the chair thinks the item has been sufficiently discussed, they will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- 7.11.3 If a motion that the question be now put is seconded and the chair thinks the item has been sufficiently discussed, they will put the procedural motion to the vote. If it is passed, they will give the mover of the original motion a right of reply before putting their motion to the vote.
- 7.11.4 If a motion to adjourn the debate or to adjourn the meeting or to postpone consideration of the meeting is seconded and the chair thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, they will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

Provided that a second motion to the same effect under this section will not be moved in reference to the same motion or amendment within a period of 20 minutes unless it is moved by the Chair.

7.12 Point of order

- 7.12.1 A Member may raise a point of order at any time. The chair will hear the Member immediately. A point of order may only relate to an alleged breach of these Rules of Procedure or the law. The Member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the chair on the matter will be final.

7.13 Personal explanation

- 7.13.1 A Member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the Member which may appear to have been misunderstood in the present debate. The ruling of the chair on the admissibility of a personal explanation will be final.

8. Minutes

8.1 Signing of the minutes

- 8.1.1 The chair will sign the minutes of the proceedings at the next suitable meeting. The only part of the minutes that can be discussed is their accuracy and any question as to their accuracy must be raised by motion.

9. Record of attendance

- 9.1 Each Member attending a committee meeting must, with a view to securing the recording of their attendance, sign the attendance sheet provided by the Assistant Director of Governance (Democratic and Regulatory Services) for that purpose. If any Member arrives after the attendance sheet has been circulated, they must intimate their presence to the Assistant Director of Governance (Democratic and Regulatory Services)

10. Members' conduct

10.1 Speaking

- 10.1.1 When a Member speaks at committee meetings, they must address the meeting through the chair, but may choose to either stand or remain seated.

10.2 Chair standing

- 10.2.1 When the chair stands during a debate, any Member speaking at the time must stop and sit down. The meeting must be silent.

10.3 Member not to be heard further

- 10.3.1 If a Member persistently disregards the ruling of the chair by behaving improperly or offensively or deliberately obstructs business, the chair may move that the Member be not heard further. If seconded, the motion will be voted on without discussion.

10.4 Member to leave the meeting

- 10.4.1 If the Member continues to behave improperly after such a motion is carried, the chair may adjourn the meeting for a specified period or move that the Member leaves the meeting. If seconded, the motion will be voted on without discussion. If the Member continues to behave improperly, the Chair may give such direction as they consider appropriate for the removal of the Member and the restoration of order.

10.5 General disturbance

- 10.5.1 If there is a general disturbance making orderly business impossible, the chair may adjourn the meeting for as long as they think necessary.

11. Disturbance by the public

11.1 Removal of member of the public

11.1.1 If a member of the public interrupts proceedings, the chair will warn the person concerned. If they continue to interrupt, the chair will order their removal from the meeting room.

11.2 Clearance of part of the meeting room

11.2.1 If there is a general disturbance in any part of the meeting room open to the public, the chair may call for that part to be cleared.

12. Interest of Members in contracts and other matters

12.1 Where the relevant Member has a Disclosable Pecuniary Interest in a matter to be considered at the meeting and that interest is on the Register of Interests, they must not speak or vote on the matter. If they have a Disclosable Pecuniary Interest in a matter to be considered at the meeting and that interest is not on their Register of Interests, they must declare that interest at the meeting and not speak or vote on the matter. In either case they may remain in the room where the meeting is taking place. If they consider that it would be inappropriate in the circumstances to remain in the room, they may leave the room while the matter is dealt with.

12.2 Where a matter arises at a meeting which relates to or affects an 'Other Interests', the relevant Member must declare the existence and nature of the interest unless it has been entered in the County Council's register of interests.

12.3 An 'Other' interest is one which affects, to a greater extent than others in their division, the relevant Member's:

- own wellbeing or financial position or
- that of family or close friends
- any body –
 - (a) exercising functions of a public nature
 - (b) directed to charitable purposes; or
 - (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union);

of which the Member is in a position of general control or management

12.4 Where an 'other interest' arises, the relevant Member will declare an interest (an "Other Interest") but may speak and vote on the matter.

13. Suspension and amendment of committee procedure rules

13.1 Suspension

- 13.1.1 All of these Rules except Rule 16.2 may be suspended by motion on notice, or without notice if at least one half of the whole number of members of the committee are present. Suspension can only be for the duration of the meeting. A motion to suspend any of these Rules must specify the Rule to be suspended and must be moved in terms limited to an explanation of the reasons for the suspension. It will be seconded in formal terms only and will be put to the committee without debate.
- 13.1.2 Any motion to add to, vary revoke these Rules will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, except where it is moved as part of the report of the Cabinet.

14. Committees

- 14.1 References in these Rules to "Committees" include Scrutiny and Select Committees and other bodies except where those bodies have separately agreed arrangements.
- 14.2 Every Committee will continue in being until its successor is appointed. In the absence from a meeting of the chair and vice-chair, a chair for that meeting will be appointed.
- 14.3 The Chair of a committee may call a special meeting at any time. The summons to the special meeting will be issued by the Assistant Director of Governance (Democratic and Regulatory Services) and will set out the business to be considered; and no business other than that set out in the summons will be considered at that meeting. Cancelling or changing the date or time of a scheduled meeting shall be determined by the Chair following consultation with Group Spokespersons.
- 14.1 The quorum of each committee will be at least 50 % of the committee membership unless otherwise specially provided for elsewhere in this Constitution.

15. Voting in committees

- 15.1 Voting at a meeting of a committee will normally be by show of hands; but any Member may demand a recorded vote and, if one quarter of the Members constituting the committee signify their support such a vote will be taken.
- 15.2 If there are an equal number of votes for and against, the Chair will have a second or casting vote. There will be no restriction on how the Chair chooses to exercise a casting vote.

- 15.3 Where immediately after a vote is taken at a committee meeting any Member of that committee so requires, there will be recorded in the minutes of the proceedings of that meeting whether that person casts their vote for the motion or against the motion or whether they abstained from voting.

16. Adjournment of committee meetings

- 16.1 When a committee adjourns, whether by resolution or by decision of the Chair, the adjournment will by decision taken at that time be to a date, time and place specified, provided that where this is not practicable and a meeting is adjourned for an unspecified period and/or to an unspecified place, all members of the committee will be notified of the new date, time and place when these have been determined.

17. Rights of other Members to attend committee meetings

- 17.1 A Member of the Council who has moved a motion which has been referred to any committee will have notice of the meeting of the committee at which it is proposed to consider the motion. The Member will have the right to attend the meeting and if they attend will have an opportunity of explaining the motion.
- 17.2 Subject to the Access to Information Procedure Rules, a Member of the Council may attend a meeting of any committee of which they are not a Member but may not speak without the agreement of the Chair and may not vote.
- 17.3 A Member of the Council will have the right to attend any public meeting arranged by an officer or any meeting of a committee called to make any inspection of any site or works within their Electoral Division or which is to consider the making of any compulsory purchase order of land or buildings within such Division. The Member will have notice of any such meeting and, if they attend will, at the discretion of the Chair have the right to give their views.

18. Interpretation of rules of procedure

- 18.1 The ruling of the Chair as to the construction or application of these Rules or as to any proceedings of the Committee will be final for the purposes of the meeting at which it is given.