

**Proposed amendments to Council Procedure Rule 11**  
**re Motions on Notice**

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**11. MOTIONS ON NOTICE**

**11.1 Council Meetings**

- (a) Except in the cases specified in Council Procedure Rule 12, a motion may not be moved unless notice of it has been given in accordance with the following provisions.

(b) Every notice of motion, shall:

- (i) relate to a matter for which the Council has duties or powers; or
- (ii) relate to a matter which affects North Yorkshire; or
- (iii) relate to the performance of the Chair, the Leader, the Executive or any member of it, or any committee;

AND

- (iv) have a direct impact upon services provided by the Council, subject to the discretion of the Chair.

~~(b)~~ All such notices shall be in writing signed by the Member giving the notice and any proposed seconder and other supporter; and shall be given or sent by post or fax, or by e-mail from a North Yorkshire Councillor email address) in which case signatures are not required, to the Assistant Chief Executive Legal and Democratic Services, who shall enter it in a book, to be open to inspection by Members, at their office. A notice of motion received after midnight on the ninth day before a meeting of the Council shall not be specified in the summons for that meeting.

- (c) The Assistant Chief Executive Legal and Democratic Services shall insert in the summons for any meeting of the Council all notices of motion duly given in the order in which they have been received, unless the Member giving a notice has stated in writing prior to the ninth day before the meeting that they propose to move the motion at some later meeting or has withdrawn the notice.
- (d) If a Member who gives notice of a motion under this Council Procedure Rule considers that the Chair should allow the motion to be debated by the Council without being referred to the Executive or a relevant committee for prior consideration, they shall give or send by post/fax or email to the Assistant Chief Executive Legal and Democratic Services a written statement of their reasons. Provided that the statement of reasons is received not later than the ninth day before a meeting of the Council the Assistant Chief Executive Legal and Democratic Services shall arrange for the statement to accompany the summons for that meeting.
- (e) A motion which appears on the summons for a meeting shall be dealt with at that meeting if either:-

- (i) the Chair considers that to do so would be convenient or conducive to the despatch of business; or
  - (ii) a motion 'That the motion be considered now' is put to the vote and passed. The proposer of the motion "That the motion be considered now" shall not speak for more than five minutes; and the seconder shall second it without comment. One Member may speak in opposition to the motion 'That the motion be considered now' and that Member shall not speak for more than five minutes.
- (f) If the motion is not dealt with at the meeting at which it is brought forward it shall be moved and seconded without comment and, without discussion, shall stand referred to the Executive or to those committees within whose responsibilities or terms of reference it comes, in the view of the Chair, or as the Council may determine. Where the matter stands referred to an overview and scrutiny committee, the Scrutiny Board shall determine which particular overview and scrutiny committee is the most appropriate to consider the matter.
- (g) A member who has proposed or seconded a motion which has been referred to the Executive or a committee shall receive notice of the meeting of the Executive or committee at which it is proposed to consider and debate the motion and shall have the right to attend the meeting and to explain the motion.
- (h) If a motion is referred to the Executive or one committee only, the Executive or that committee shall debate the motion and report to the relevant decision-making body upon that motion together with its recommendation. If a motion is referred to more than one committee, the Executive shall report to the relevant decision-making body upon that motion together with its recommendations. The report of the Executive or any committee to which a motion has been referred shall contain a statement of that motion.
- (i) When the Executive or a committee reports back on a motion with its recommendations, the motion, as originally moved and seconded at the earlier meeting, will be the matter before the relevant decision-making body for voting upon. There will be no discussion of or questions on the original motion prior to the vote upon it. Any recommendation of the Executive or committee to amend the motion will therefore be an amendment to the motion and any recommendation to support or oppose the motion will be only an expression of views.

## 11.2 Other Meetings

- (a) The Assistant Chief Executive Legal and Democratic Services shall insert in the summons for a meeting of a committee of the Council every notice of motion which is specified by a Member giving the notice as being for consideration by that committee, provided that:-
- (i) the notice of motion is in writing signed by the Member giving the notice and the proposed seconder and other supporter;
  - (ii) the notice of motion is given or sent by post (or by e-mail from a North Yorkshire Councillor email address in which case signatures are not required), to the Assistant Chief Executive Legal and Democratic Services and received by them not later than the twenty-first day before the meeting of the committee.\*

\* This is to allow sufficient time for an Officers' report to be prepared on the subject matter of the notice of motion as an aid to enabling a decision to be taken on it at that meeting.

- (b) A Member shall wherever possible give notice of a motion to committee rather than to Council.
- (c) A Member who has proposed a notice of motion to committee in accordance with the provisions of this Council Procedure Rule may speak for not more than 5 minutes when the Council considers a report on that notice of motion.

### 11.3 **Motions Affecting Council Staff**

If the appointment, promotion, dismissal, salary, superannuation, conditions of service, or conduct of any person employed by the Council arises at a meeting of the Council, the Executive, a committee or sub-committee the matter shall not be discussed until the Council, Executive, committee or sub-committee has decided whether or not to exclude the public under Section 100A of the Local Government Act 1972.

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