

Extracts from Council Procedure Rules
– proposed amendments to Rules

5. TIME AND PLACE OF MEETINGS

5.1 Council Meetings

Meetings of the Council shall be held at County Hall, Northallerton, commencing at 10.30 am, or such other hour as the Council may from time to time determine; provided that in exceptional circumstances the Chair or, if the Chair position be vacant, the Vice-Chair may direct that a meeting shall be held at such other place, or such hour and on such date as they may deem expedient.

5.2 Other Meetings

5.2.1 The date, time and place of Executive and committee meetings will be determined by the Assistant Chief Executive Legal and Democratic Services and included on the summons for the meeting.

5.2.2 The Assistant Chief Executive Legal and Democratic Services may change the date, time and place of a meeting of a committee or Executive, in their discretion, after consulting with the Chair of the committee and Members of the Committee /Leader of the Executive and Members of the Executive.

5.3 Extraordinary Meetings of Committees

The Chair of a Committee, or the Chair of the Council, may summon an extraordinary meeting of a committee at any time, and either of them shall summon an extraordinary meeting on the requisition in writing of not less than one quarter of the members of the committee. The summons shall specify the business to be considered at the extraordinary meeting, and no business other than that specified shall be considered at the meeting.

5.4 Postponement/adjournment/cancellation of Council, Executive and committee meetings after issue of summons

For the avoidance of doubt regarding the operation of paragraphs 5.1 to 5.3 above, and subject to all relevant statutory provisions, where, after the summons for a meeting has been issued, a meeting is not able to proceed for material reasons (as judged by the Assistant Chief Executive Legal and Democratic Services):

- a) the Council/Executive/committee may meet as scheduled with a quorum and adjourn to another date; or
- b) the Assistant Chief Executive Legal and Democratic Services may, in consultation with the relevant Chair and the other members of the Council/Executive/committee concerned, agree to postpone the meeting to a future date or, if the circumstances warrant cancellation, agree to cancel the meeting (for example where there is no longer any business to transact).

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12. MOTIONS WITHOUT NOTICE

The following motions and amendments may be moved without notice:

- (a) Appointment of a Chair of the meeting at which the motion is made.
- (b) Motions relating to the accuracy of the minutes, closure, adjournment, order of business, or next business.
- (c) Reference to the Executive or to a committee.
- (d) Motion to exclude the public and press under Section 100A of the Local Government Act 1972.
- (e) Appointment of members of a committee or outside body, so far as arising from an item mentioned in the summons for the meeting.
- (f) Adoption of reports and recommendations of the Executive, committees or Officers and any consequent motions.
- (g) Amendment to motions [\(except as expressly provided otherwise elsewhere in the Council Procedure Rules\)](#).
- (h) Extending the time limit for speeches.
- (i) That an item of business specified in the summons shall have precedence, or other variation of order of business.
- (j) Suspending Council Procedure Rules in a case of emergency.
- (k) That a Member named under Council Procedure Rules be not further heard or do leave the meeting.
- (l) Giving any consent of the Council required by Council Procedure Rules.
- (m) A motion "That the motion be considered now".
- (n) A motion "That the Council debate this matter in committee."

13. RULES OF DEBATE

- (a) A Member shall stand when speaking and shall address the Chair. If two or more Members rise, the Chair shall call on one of them to speak. (This Standing Order will be deemed to have been complied with if any Member who, as a result of a disability, would find it difficult to stand, indicates their wish to speak by raising their hand.)
- (b) Except with the consent of the Council, and subject to the provisions of Council Procedure Rules, a Member shall not speak for more than three minutes on any motion or amendment, excluding the mover and the Executive Member or Chair of any Committee directly involved, who may speak for not more than five minutes.

- (i) At Budget full Council meetings, the mover, seconder and each spokesperson of a political group shall each be able to speak for 6 minutes in relation to the budget item.
- (c) Whenever the Chair rises during a debate, any Member who is speaking or standing shall resume his seat and all Members shall be silent.
- (d) The ruling of the Chair on points of procedure or order and their interpretation of Council Procedure Rules shall be conclusive and no debate upon their ruling shall be allowed.
- (e) Every motion or amendment shall be moved and seconded and, unless the Chair agrees otherwise shall be handed in writing to the Chair, or to the Assistant Chief Executive Legal and Democratic Services and shall be read before it is discussed or to put to the meeting. At least 24 hours' prior written notice must be given to the Assistant Chief Executive Legal and Democratic Services of proposed significant and/or detailed amendments (as judged by the Assistant Chief Executive Legal and Democratic Services). Once submitted, such significant and/or detailed amendments may be shared with councillors. This provision does not affect the Chair's right to exercise their discretion to accept amendments at the meeting.
- (f) When seconding a motion or amendment a Member may reserve their speech until a later period of the debate.
- (g) A Member shall direct their speech to
- ◆ the motion or question under discussion, or
 - ◆ an amendment, or
 - ◆ a point of order to address a perceived breach of the Council Procedure Rules or other perceived procedural irregularity or
 - ◆ a personal explanation.

A Member rising to a point of order or in personal explanation is entitled to be heard forthwith, but a point of order must specify the Council Procedure Rule to which it relates, and a personal explanation must be confined to some material part of a speech by them which may have been misunderstood or misrepresented.

- (h) An amendment shall be either:
- (i) to refer the matter to an appropriate body or individual for consideration or recommendation
 - (ii) to delete words
 - (iii) to delete words and add others; or
 - (iv) to add words

but such deletion or addition of words shall not have the effect of introducing a new proposal into, or of negating the motion before the Council and every amendment must be relevant to the motion to which it is moved. Where an amendment does not directly seek to negate or nullify a motion, the Chair has the discretion to reject any amendment that seeks to substantially alter the

proposal of the original motion so as to lose the intention of the original motion.
[Please also see paragraph \(e\) above.](#)

- (i) Any number of amendments may be moved but once an amendment to a motion has been moved and seconded no other amendment may be moved until the first amendment has been dealt with.
- (j) If an amendment is rejected, other amendments may be moved to the motion. If an amendment is carried, the motion as amended will then be the motion to which any further amendment may be moved.
- (k) An amendment may be withdrawn by the proposer with the agreement of the seconder and the consent of the Council (to be signified without discussion), and after the proposer has asked for consent to withdraw an amendment, no Member shall speak upon it unless such consent is refused.
- (l) A Member shall not speak more than once on any motion or amendment, except in
 - ♦ the exercise of the right of reply, given by paragraph (p) of this Council Procedure Rule, or
 - ♦ on a point of order, or
 - ♦ by way of personal explanation, or
 - ♦ to move any of the motions specified in paragraph (m) of this Council Procedure Rule.
- (m) At the conclusion of a speech of another Member, a Member may move without comment one of the following and, if seconded, the Chair shall proceed as follows:
 - (i) “That the Council proceed to the next business”

Unless in their opinion the matter before the meeting has been insufficiently discussed, they shall first give the mover of the original motion a right of reply, and then put to the vote the motion to proceed to next business
 - (ii) “That the question be now put;”

Unless in their opinion the matter before the meeting has been insufficiently discussed, they shall first put to the vote the motion that the question be now put, and, if it is passed, then give the mover of the original motion their right of reply under paragraph (p) of this Council Procedure Rule before putting the motion to the vote
 - (iii) “That the debate be now adjourned” or “that the Council do now adjourn”:

If in their opinion the matter before the meeting has not been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion they shall put the adjournment motion to the vote without giving the mover of the original motion a right of reply.
- (n) A second motion “That the Council do now proceed to the next business”, “That the debate be now adjourned” or “That the Council do now adjourn” may not

be made during the same debate within a period of one hour unless, in the opinion of the Chair, the circumstances of the debate are materially altered.

- (o) During the same debate, no Member shall propose or second more than one motion for adjournment of the debate or for the adjournment of the Council, or that the Council do proceed to the next business, or that the question be put.
- (p) The mover of an amendment has no right of reply, but the proposer of a motion (other than a motion proposed under paragraph (m) of this Council Procedure Rule) shall have the right of reply and may speak for up to 5 minutes:
 - (i) at the close of the debate on the motion and immediately before it is put to the vote (except where paragraph (m) of this Council Procedure Rule requires it to be put to the vote forthwith)
 - (ii) immediately before any motion to proceed to next business is put to the vote.

If any amendment to a motion is proposed, the mover of the motion shall have a right of reply at the close of the debate on each amendment and, whether the motion is amended or not, at the close of the debate on the motion, but, in exercising a right of reply, the mover of the motion may not introduce any new matter.

Once the right of reply has been exercised a decision must be taken without further discussion.

- (q) When a motion is under debate only the following may be moved:
 - (i) that the motion be amended
 - (ii) that consideration of the motion be postponed
 - (iii) that the meeting be adjourned
 - (iv) that the debate be adjourned
 - (v) that the Council proceed to the next business
 - (vi) that the question be now put
 - (vii) that a Member be not further heard
 - (viii) that a Member leave the meeting
 - (ix) that the public be excluded under Section 100A of the Local Government Act 1972
 - (x) that the Council debate this matter in committee.
- (r) The rules of debate set out in this Council Procedure Rule shall be suspended for any debate for which the Council has resolved, either on a motion for which notice has been given in the printed agenda or on a motion moved without notice under the relevant Council Procedure Rule “that the Council debate this matter in committee”.

