

Procedure Rules for Committee and Sub-Committee Meetings

1. Introduction

1.1 These rules are designed to ensure meetings run smoothly and are conducted properly. The rules apply to all committees of the Council except for the following:

(a) Pension Fund Committee and Investment Sub-Committee and Pension Fund Board (special Rules of Procedure and Standing Orders apply as shown in Part 3B-09 of the Constitution);

(b) Cambridgeshire and Peterborough Health and Wellbeing Board (Standing Orders apply as shown in Part 3B-12 of the Constitution);

(c) Joint Committees.

1.2 So far as the law allows any of these rules may be suspended at any meeting, either for the whole meeting or for a particular item on the agenda. In order to achieve this, a motion must be moved and seconded and a vote carried.

2. Arrangements for Meetings

2.1 The agenda and papers for meetings must be available at least five clear working days before the meeting.

2.2 A special meeting is arranged if the chair of the relevant committee or any six of its members request such a meeting, or by the Monitoring Officer if they consider it necessary.

2.3 The Monitoring Officer may, after consultation with the chair of the relevant committee, cancel a meeting, if they are satisfied that there is insufficient business to be transacted or if they are satisfied that this is the appropriate course of action.

3. Chair of Meeting

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

3.2 If any issues arise at a meeting in relation to interpretation of the procedure rules, the chair's decision will be final.

4. Quorum

The quorum of a meeting will be one half of the whole number of voting members. During any meeting if the chair counts the number of members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the chair. If the chair does not fix a date, the remaining business will be considered at the next ordinary meeting.

5. Order of Business

The order of business will usually be:

- (a) At the first meeting after the Annual Council meeting, appointing or noting the appointment of the chair and vice-chair of the committee;
- (b) The choice of a person to preside if the chair and vice-chair are absent;
- (c) Confirmation of the minutes of the last meeting of the committee;
- (d) Apologies for absence, including reasons;
- (e) Declarations of interest;
- (f) Business outstanding from the last meeting;
- (g) Reports for decision by committee;
- (h) Items requested by a councillor, which the relevant executive director or director, after consultation with the relevant spokes and the committee chair has agreed should be included on the agenda;
- (i) Reports for information if updating, at the specific request of the committee, progress of decisions previously agreed by a committee;
- (j) Training plan including figures for attendance at each training session;
- (k) Agenda plan (if applicable).

6. Other Points Regarding the Order of Business

- (a) At any time during the meeting the chair can adjourn the meeting;
- (b) The order of business can be varied at the discretion of the chair;
- (c) The minutes of ordinary meetings will not normally be confirmed at special meetings;
- (d) The meeting will adjourn for ten minutes approximately every two hours at an appropriate point.

7. Agenda Items Requested by Councillors

Any councillor who wishes an item relevant to the functions of a committee to be included on the agenda of that committee shall register a request with the spokes for that committee. The spokes will discuss the matter with the relevant executive director/director, who will consult with the committee chair, to determine whether the item should be included on the agenda of the next available or a subsequent meeting.

8. Declarations of Interest

8.1 Under the Localism Act 2011 and as part of the Code of Member Conduct, members are required by law to complete a declaration of disclosable pecuniary interests and non-statutory disclosable interests. If a member is at a meeting that is considering something in which they have a disclosable pecuniary interest and that interest has not been registered, they must declare the interest and inform the Monitoring Officer within 28 days of the meeting.

8.2 Where any councillor has a disclosable pecuniary interest in any matter, they will declare it and leave the room in which the meeting is being held while the matter is under consideration unless:

(a) The Monitoring Officer has granted them a dispensation; or

(b) The matter is only under consideration by the meeting as part of a report of the minutes of a committee or sub-committee and is not itself the subject of debate.

8.3 If the councillor has chosen to remain within easy reach, that councillor will be recalled by an appropriate officer before any further business is started.

8.4 Any person or officer of the authority who is appointed to do anything in connection with the County Council which enables them to speak at meetings, will make the same disclosures of interests and will withdraw from the room in which the meeting is being held on the same occasions as they would have to do if they were a county councillor. This does not apply to members of the public who are entitled to speak at Planning Committee.

9. Public Speaking at County Council Committees

9.1 Public Speaking at County Council Committee Meetings

The County Council recognises the value that can be added by enabling contributions by the public to meetings of council committees and in order to facilitate this, the chair or the person presiding at a meeting of a council committee may, at their absolute discretion, grant permission to a member of the public to speak during the meeting.

Speakers will usually only be permitted to speak once in any debate and

speeches will usually be time limited to three minutes. Permission to speak may be refused if the anticipated contribution:

- (a) Is not relevant to the agenda items of the meeting;
- (b) Is substantially the same as a question which has been put at a meeting of a committee or sub-committee in the past six months;
- (c) Is illegal, improper, defamatory frivolous or offensive;
- (d) Requires the disclosure of confidential or exempt information;
- (e) Is from a provider the Council contracts with or chooses not to contract with unless unrelated to those specific contracts;
- (f) Relates to separate appeal, adjudication, litigation, mediation or dispute resolution;
- (g) Is about the conduct of individual councillors or employees; or
- (h) Is in multiple parts.

In order to assist meeting organisers members of the public* wishing to speak at a committee meeting** are asked to make a request in writing no later than 12.00 noon three working days before the meeting via letter to the Democratic Services Officer, Democratic and Members' Services, New Shire Hall, Alconbury Weald, PE28 4XA or via e-mail (this information is available at the bottom of the agenda front sheet) and provide the following details:

- (a) Name and contact details of the person making a comment or asking a question;
- (b) Details of the request to speak: The full text of the question to be asked or a list of the main points regarding a comment about a matter on the agenda.

(Requests to speak received after the three day deadline may be permitted, at the discretion of the relevant committee chair.)

9.2 Participating in a Committee Meeting

If registered to speak, members of the public should arrive at the venue (usually New Shire Hall) at least fifteen minutes before the start of the meeting and report to the Democratic Services Officer present. The register of speakers will be kept by Democratic Services and provided to the chair in advance of the meeting. No more than three speakers will normally be permitted per subject at a meeting (subject to the chair's discretion). Only one question or comment may be allowed per speaker.

When the meeting reaches the agenda item, the chair will ask the member of the public to speak. The member of the public is asked to behave appropriately for

the nature of the meeting and show courtesy and respect to everyone present. They should not make any remarks which are offensive, defamatory, insulting or discriminatory. The time limit to pose a question or make a comment will be three minutes for each speaker. The Democratic Services Officer will time each speaker to ensure that they do not exceed three minutes. The member of the public must cease speaking when so instructed by the chair. The chair may allow questions from committee members to the speaker for clarification only.

The chair will deal with the question or statement, or request that an appropriate member or officer reply orally. If this is not possible, the member of the public will be provided with a written answer using the contact details provided within ten working days.

If there should be a large number of requests for public speaking regarding one or more items on the agenda, the chair may take steps to ensure that the meeting can be conducted in an appropriate fashion; for example, move the agenda item to the beginning of the meeting or limit the number of speakers. If the chair should decide to limit the number of speakers, the Democratic Services Officer will ensure that all steps are taken to inform the “unsuccessful” speakers in advance and a written reply will be sent within ten working days after the meeting.

This process does not apply to county councillors as their speaking rights as non-committee members are covered under ‘Attendance of other County Councillors’ below. It also does not apply to employees of the Council except when acting as Trades Unions representatives or private individuals, as they have sufficient channels of communication, both internally and through their representative bodies.

** For the purposes of this guide a “member of the public” is defined simply as anyone who lives or works in Cambridgeshire or is affected by a decision made in Cambridgeshire.*

*** This procedure does not apply to meetings of Full Council and Planning Committee as these meetings have their own procedures.*

10. Petitions to Committees

10.1 The Council will treat something as a petition if it is identified as being a petition, or if it seems to us that it is intended to be a petition and it meets the criteria set out in the Petition Scheme. The Petition Scheme is set out in full in the Council Procedure Rules (Constitution Part 4.1), and includes guidance on submitting petitions, on types of petition that the Council will and will not consider, and on what action the Council may take when it receives a petition.

The following paragraphs relate to petitions that have been referred to one of the Council’s committees or sub-committees.

10.2 Speaking at Council/Committee Meetings

The petition organiser, or their nominee* will be able to speak at the meeting providing the following conditions are met:

- (a) The petition must relate to the powers and duties of that committee / body.
- (b) The petition must be signed by at least 50 'local people' ** who have an interest in the subject of the petition - the addresses of the signatories must be included for this purpose. Petitions with fewer than 50 signatures will still be considered but there is no right to speak.
- (c) The petition must be received by no later than 9.00 a.m. five working days before the meeting.
- (d) The petition must be accepted by the chair of the committee for presentation at the meeting. This is likely to be agreed unless there are exceptional circumstances.

* *County councillors will not usually be allowed to speak to petitions under this procedure as they have other opportunities to make their views known. This may however be allowed where the councillor has a prejudicial interest preventing them from speaking to a report, or where the petition organiser or other representative of the petitioners is unable to attend the meeting. In these circumstances the chair of the meeting concerned will be consulted and asked to exercise their discretion to allow a county councillor to present the petition.*

** *A 'local person' is anyone who lives, owns a business, or works in the area (business address to be recorded where appropriate), or who attends a school or college in the area at the time the petition is submitted.*

10.3 Process at the Meeting

Time for presenting a petition will be limited to three minutes. If there is an item / report on the agenda which relates to the petition, the petition organiser will usually be asked to make their presentation at the beginning of that item. Once they have spoken to the meeting, councillors may wish to ask them questions about the petition. The person presenting the petition will not be allowed to take part in the subsequent debate. If there is no relevant item on the agenda, petitions will usually be heard at the start of the meeting, but they will not usually be discussed.

Petition organisers will receive a written response from the chair of the meeting within ten working days of the meeting.

11. Consideration of Recommendations in Reports

Officers' recommendations are deemed to be moved and seconded to facilitate a less bureaucratic approach to handling amendments.

12. Motions not Requiring Prior Written Notice

The following motions can be moved and seconded orally to ensure meetings run smoothly and are conducted properly:

- (a) Appointment of a chair for the meeting in the absence of the chair and vice-chair;
- (b) Request to withdraw a motion;
- (c) That the matter be put to a vote;
- (d) That the meeting be adjourned;
- (e) Variation of the order of business;
- (f) Suspension of the Procedure Rules;
- (g) Exclusion of the public;
- (h) That a named councillor should not be heard further.

13. The Rules of Debate

13.1 Speaking

If a councillor wishes to speak they should indicate their intention by raising their hand.

The chair will decide the order in which speakers will be heard. Any councillor who wishes to speak will be given the opportunity to do so unless any of the exceptions contained in these rules of debate apply.

Councillors can speak for a maximum of five minutes, subject to any exceptions set out below, and the discretion of the chair.

Councillors when speaking must address the chair.

Councillors must speak strictly to the subject under discussion.

13.2 Request for Adjournment

Any councillor may at any time during a meeting request that the meeting be

adjourned for up to one hour. The chair of the meeting has discretion to decide whether to agree the request and, if agreed, to determine the length of any such adjournment.

13.3 Amendment and Alteration

If the motion has been amended since the councillor last spoke, that councillor may move a further amendment to the motion.

A motion may be altered with the consent of the meeting. The meeting's consent will be signified without discussion.

14. Points of Order and Personal Explanations

With the consent of the chair, any councillor may make a brief comment, ask a question designed to clarify a matter which has been raised, or indicate where they feel the procedure rules have not been followed. They may not introduce new material or make a speech on this.

The chair's ruling on this will be final and they may limit such exchanges to maintain the flow of debate.

15. Amendments to Recommendations and Motions

(a) An amendment to a motion must be relevant to the motion and should not seek to introduce into the motion a new issue unrelated to the subject in the motion. It will either be:

- (i) To refer the matter to an appropriate body or individual for consideration or reconsideration;
- (ii) To leave out words;
- (iii) To leave out words and insert or add others; or
- (iv) To insert or add words.

As long as the effect of (ii) to (iv) is not to negate the motion.

(b) An amendment to a motion must be delivered to the Democratic Services Officer supporting the relevant committee in its draft form not later than noon two working days before the date of the meeting and its intended final form not later than noon one working day before the date of the meeting at which the motion is to be considered. If more than one amendment is received, amendments will be taken at the meeting in the order in which they were received by Democratic Services.

If no withdrawal, confirmation or change is received by the Democratic Services Officer supporting the meeting, it will be assumed that the

amendment is to be considered in its initial form.

No other amendment may be moved at the meeting except where the chair may permit, at their absolute discretion, in exceptional circumstances and to ensure the efficient or proper discharge of the Council's business, a further amendment or amendments to be moved.

- (c) 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.
- (d) If an amendment is not carried, other amendments to the original motion may be moved.
- (e) 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.
- (f) After an amendment has been carried, the chair will advise the meeting of the content of the amended motion before accepting any further amendments, or if there are none, put it to the vote.

16. Bringing Debate to Early Closure

If the chair feels there has been sufficient discussion of the issue they may put the motion to the vote.

17. Previous Decisions and Motions

17.1 Motion to Rescind a Previous Decision

A motion or amendment to rescind a decision made at a meeting of the committee or sub-committee within the past six months cannot be moved unless a notice of motion is signed by at least half of members of the relevant committee or sub-committee.

17.2 Motion Similar to One Previously Rejected

A motion or amendment in similar terms to one that has been rejected at a meeting of the committee or sub-committee in the past six months cannot be moved unless a notice of motion is signed by at least half of members of the relevant committee or sub-committee. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

18. Voting

18.1 Votes in committee are to be determined by a show of hands.

Where there is an equal number of votes for and against a motion the chair can

exercise a second or casting vote.

18.2 Recorded Vote

A recorded vote will be taken if five or more councillors request it. The process will be as follows:

- (a) The names of all councillors will be called and the vote of each councillor recorded.
- (b) The chair will announce the result.
- (c) The minutes will record how each councillor voted.

Any committee member can require, during the item of business that the minutes of the meeting record how they voted on any decision taken.

19. Disorderly Conduct by Members

19.1 If, at any meeting, any councillor in the opinion of the chair of the meeting misbehaves by persistently disregarding their ruling, or by behaving improperly or offensively, or by obstructing the business of the meeting, the chair may move 'that [the councillor named] should not be further heard' and the motion, if seconded, will be voted on without discussion.

19.2 If any councillor named continues the misconduct after a 'should not be further heard' motion has been carried, the chair:

- (a) May request the councillor to leave the meeting; or
- (b) May adjourn the meeting for any period considered necessary.

In the event of a general disturbance which in the opinion of the chair makes business impossible, the chair may adjourn the meeting for any period considered necessary and/or order that the public leave.

20. Disturbance by Public

20.1 Removal of Member of the Public

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.

20.2 Clearance of Part of Meeting Room

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.

21. Photography and Audio Recordings of Meetings

The Council supports the principle of transparency and encourages filming, recording and taking photographs at its meetings that are open to the public. It also welcomes the use of social networking and micro-blogging websites (such as Twitter and Facebook) to communicate with people about what is happening, as it happens. These arrangements will operate in accordance with a protocol agreed by the Chair of the Council and political group leaders. This protocol will be published on the Council's website.

22. Attendance of Other County Councillors

Any County councillor who wishes to attend a meeting of a committee or sub-committee of which they are not a member will be entitled to do so. With the consent of the meeting they will be entitled to speak but not vote:

- (a) On any matter affecting their electoral division or its inhabitants; or
- (b) On an item which they have requested be included on the agenda in accordance with Procedure Rule 7.

A county councillor who attends a meeting in this capacity will be entitled to remain in the meeting when a resolution excluding the public is in force.

These provisions do not apply where a committee or sub-committee is exercising a function which is judicial in nature.

23. Substitution

23.1 Substitution Procedure

Substitute members may attend meetings in that capacity only:

- (a) To take the place of the ordinary member for whom they are the designated substitute.
- (b) After notifying the relevant Democratic Services Officer of the intended substitution before the start of the meeting.

In the event of the ordinary member of the committee being present at the start of the meeting, the ordinary member may advise that the substitution shall not take effect. The membership of the committee shall be as constituted at the start of the meeting and substitution will not be permitted during the course of the meeting.

Substitute members are eligible for allowances in accordance with the Council's scheme of allowances as if they were appointed members of that committee.

23.2 Powers and Duties

Substitute members, when substituting for an ordinary member of the committee, will have all the powers and duties of any ordinary member of the committee but will not be able to exercise any special powers or duties exercisable by the person they are substituting.

When substituting for the chair/vice-chair of a committee, the substituted member will have the power and duties of any ordinary member, but not the additional duty of chair/vice-chair.

24. Appointments to Committees

Any changes in a committee's membership must be notified by the group leader or the majority of their group to the Democratic Services Manager no later than 12.00 noon the working day before the relevant meeting.

Democratic Services will ensure that all appointments to committees are reported to the next meeting of the appropriate committee.