**Constitution**

**Article Twelve: Council Standing Orders and Committee Procedures**

* 1. This Article outlines the procedures to be followed for meetings of Full Council and Committees of Council and the Executive, unless specified differently in an individual Committee terms of reference or procedure rules.
  2. Where this Article refers to a ‘motion’ this includes motions with notice submitted by councillors in accordance with Standing Order 12.40 (identified as ‘Motions’ on an agenda); other motions as set out in the agenda and associated papers for a meeting such as recommendations contained within a report; and procedural motions without notice, for example to adjourn a debate.

**Council Standing Orders**

* 1. **Membership**

All elected members of Nottingham City Council are members of Council. There can be no substitute members or co-opted members.

* 1. **Chairing**

As the first item of business at its annual meeting, Full Council will elect the Lord Mayor and that person will be the Chair. Details of the Lord Mayor’s Term of Office are set out in Article 4 – Councillors. If the incumbent Lord Mayor is being nominated for re-election as Lord Mayor that item of business will be presided over by the incumbent Sheriff, as Vice-chair.

* 1. At its annual meeting, Full Council will appoint the Sheriff and that person will be the Vice-chair. Details of the Sheriff’s Term of Office are set out in Article 4 – Councillors.
  2. If the Lord Mayor is not present, then the Sheriff will chair the meeting. If neither the Lord Mayor nor Sheriff are present, then a Chair will be appointed for the meeting. The Chair cannot be a member of the Executive. Where these Standing Orders refer to the role and responsibilities of the Lord Mayor in chairing a meeting of Full Council, they also apply to any other Councillor who is chairing the meeting in the absence of the Lord Mayor.
  3. **Dates of meetings**

The annual meeting of Full Council will take place in March, April or May. In a year when there is an ordinary election of Councillors, the annual meeting will take place within 21 days from the retirement of outgoing Councillors.

* 1. At its annual meeting, Full Council will agree dates for ordinary meetings of Full Council for that municipal year. Full Council meetings will usually be held on a Monday at 2pm. Dates for ordinary meetings can subsequently be changed by Full Council or, if that is not possible, by the Lord Mayor in consultation with the leaders of political groups.
  2. In addition to ordinary meetings, extraordinary meetings of Full Council can be called by Full Council, the Lord Mayor or by any five Councillors, if they have signed and presented a request to the Lord Mayor and the Lord Mayor has not called a meeting within seven clear working days of receiving the request.
  3. **Summons to meetings**

In accordance with Article 13 - Access to Information Procedure Rules, the Strategic Director of Legal and Governance will give public notice of the intention to hold a meeting of Full Council and send the summons to attend the meeting.

* 1. **Agendas, Minutes and public attendance at Full Council meetings**

Full Council meetings will be held in accordance with Article 13 - Access to Information Procedure Rules, which includes arrangements for access to agendas and reports before meetings, the ability of citizens to attend and record meetings, access to information after meetings and rules on considering confidential and exempt information and the ability of Full Council to exclude the public from a meeting when such information is being considered.

* 1. Honorary Aldermen and Alderwomen are invited to attend public sections of meetings of Full Council to observe, but not participate, and they have no rights in addition to those set out in Article 13 - Access to Information Procedure Rules.
  2. **Quorum**

The quorum for meetings of Council is 14.

* 1. **Business of the meeting**

At annual meetings of Full Council the business to be conducted, and order of business will be as follows:

* Election of Lord Mayor
* Appointment of Sheriff
* Apologies for absence, if any
* Declarations of Interests, if any
* ^Notification of councillors elected
* ^Election of a Leader of the Council for a four year term
* \*\*Receipt of, and response to questions submitted by citizens for response at the meeting in the order in which they were received, in accordance with Standing Order 12.23
* \*\*Receipt of any petitions from citizens, in accordance with Standing Order 12.27
* Confirmation of the minutes of the last ordinary Full Council meeting and any extraordinary Full Council meetings that have taken place, subject to any amendments
* Official communications and announcements from the Chief Executive and/or Leader of the Council
* \*\*Receipt of, and response to questions with notice submitted by Councillors for response at the meeting in the order in which they were received, in accordance with Standing Order 12.31
* Establishment of Council Committees and their first meeting dates, and appointments to and chairing arrangements for those Committees
* Notification by the Leader of the Council of their Executive appointments, delegations and establishment of Executive Committees
* Statutory Council business
* Reports from the Leader of the Council, Deputy Leader, other members of the Executive and Chairs of Council Committees
* \*\*Motions submitted by a Councillor with notice in accordance with Standing Order 12.40, in the order in which they were received
* Future meeting dates
* Any other business set out in the agenda for the meeting
* Business which, in the opinion of the Lord Mayor, should be considered at the meeting as a matter of urgency

\*\* These items of business are not conducted at post-election annual meetings

^ These items of business are only conducted at post-election annual meetings

* 1. At ordinary meetings of Full Council the business to be conducted, and order of business will be as follows:
* Apologies for absence, if any
* Declarations of Interests, if any
* Receipt of, and response to questions submitted by citizens for response at the meeting in the order in which they were received, in accordance with Standing Order 12.23
* Receipt of any petitions from citizens, in accordance with Standing Order 12.27
* Confirmation of the minutes of the last ordinary Full Council meeting and any extraordinary Full Council meetings that have taken place, subject to any amendments
* Official communications and announcements from the Chief Executive and/or Leader of the Council
* Receipt of, and response to questions with notice submitted by Councillors for response at the meeting in the order in which they were received, in accordance Standing Order 12.31
* Statutory Council business
* Reports from the Leader of the Council, Deputy Leader, other members of the Executive and Chairs of Council Committees
* Motions submitted by a councillor with notice in accordance with Standing Order 12.40, in the order in which they were received
* Any other business set out in the agenda for the meeting
* Business which, in the opinion of the Lord Mayor, should be considered at the meeting as a matter of urgency
  1. At extraordinary meetings of Council the business to be conducted, and order of business will be as follows:
* Apologies for absence, if any
* Declarations of Interests, if any
* Business as set out in the agenda for the meeting
* Business which, in the opinion of the Lord Mayor, should be considered at the meeting as a matter of urgency
  1. Full Council may vary the order of business from that set out above if two-thirds of those Councillors present and voting agree.
  2. If a meeting of Full Council is still in progress at 9:30pm:

1. The Lord Mayor will require that discussion is discontinued and no further discussion will take place;
2. If any question under discussion is a motion, it will immediately be put to the vote without the exercise of any right of reply;
3. Any outstanding matters will, in the order in which they appear on the agenda, be formally moved and seconded without comment and put to the vote without debate; and
4. The Lord Mayor will declare the meeting closed.
   1. If circumstances require or justify it, then the Lord Mayor, with the consent of those present at the meeting, can adjourn the meeting. Nothing can be dealt with at the adjourned meeting except unfinished business of the original meeting.
   2. **Urgent Business**

The addition of urgent business to an agenda requires the Chair’s approval and the reason for urgency will be included in the minutes of the meeting in accordance with Article 13 – Access to Information Procedure Rules.

* 1. **Minutes**

The minutes of a Council meeting will be considered at the next Ordinary Council meeting, when Councillors will be asked to confirm the minutes of that meeting as an accurate record. No discussion will take place about the minutes apart from in relation to their accuracy. Once the minutes have been confirmed as an accurate record they will be signed by the Chair. The minutes of an Extraordinary Council meeting will be considered at the next Ordinary Council meeting.

12.22 **Submission of questions and petitions by citizens**

30 minutes will be allocated at every Council meeting, except for post-election annual meetings and extraordinary meetings, to receive standard petitions and to respond to questions from citizens. Any questions from citizens that have not been responded to within the allocated time period will receive a written response. Such responses will be included in the minutes of the meeting.

12.23 Questions may be submitted by citizens who live and/or have a business address (not an employee of a business) within the city boundary. Questions must:

* relate to Council policy or services, or be an issue that falls within the Council’s responsibilities, but not be about individual or personal issues
* concern a single subject, be concise and not in multiple parts
* be in the form of a question and not a statement
* not name or identify any individual citizens or members of staff
* not be defamatory, offensive or contain factual inaccuracies that could cause reputational damage to the Council
* not be substantially the same question that has been asked in the previous six months
* be addressed to a member of the Executive, the Chair of a Committee or a Chair of any other Council body on a matter within their remit
* be submitted in writing by 9am two clear working days before the meeting of Full Council at which the questioner wants the question to be asked

The Lord Mayor has discretion over the questions which may be asked under this procedure, with advice from the Strategic Director of Legal and Governance where appropriate.

12.24 Questions from citizens will be responded to by a member of the Executive, the Chair of a Committee or the Chair of any other City Council body to questions on matters within their remit. Questions will be responded to in the order in which they were received. If a citizen submits more than one question to be responded to at a Council meeting, the second and subsequent questions will be responded to after questions submitted by other citizens have been responded to.

12.25 A Councillor responding to a question submitted under Standing Order 12.23 will be allowed a maximum of 7 minutes to respond. The time limits may be changed at the discretion of the Lord Mayor.

12.26 If the response to a question cannot conveniently be given orally, an interim answer can be given with a fuller written answer included in the minutes of the meeting.

12.27 In accordance with Governance Framework Document B – Petitions Scheme, petitions may be submitted by citizens who live and/or have a business address (not an employee of a business) within the city boundary.

12.28 A citizen can ask a Councillor to present a ‘standard petition’, as defined in the Petitions Scheme, to Full Council on their behalf. This may be accompanied by a statement, lasting no longer than two minutes, to be read by the Councillor on behalf of the petitioner. Before they present the petition, a Councillor must ensure that the petition falls within the Petition Scheme.

12.29 Under the Petitions Scheme, petitions with over 5000 valid signatures require debate at a Full Council meeting. Such petitions must be submitted to the Head of Governance at least 12 clear working days prior to the date of the Full Council meeting at which the petitioner wishes the petition to be debated. If more than one such petition is received for debate at a Full Council meeting, the Lord Mayor, having regard to the business to be transacted at the meeting, has discretion to decide at which meeting a petition will be considered.

12.30 The petitioner will be allocated five minutes to present the petition to Full Council and the petition may be debated for a maximum of 15 minutes, or at the discretion of the Lord Mayor. The relevant Executive Member or Committee Chair, if it relates to a Non-executive matter, will present a provisional written response to the petition to inform discussion and assist Full Council in agreeing a response.

12.31 **Questions with notice from Councillors**

Councillors may submit questions with notice to be responded to at a meeting of Full Council. Up to 12 questions from Councillors may be submitted for response at a meeting. The Majority Group and the largest Opposition Group will each be entitled to ask an equal number of questions with remaining questions allocated to smaller opposition groups and independent Councillors by the Strategic Director of Legal and Governance based on principles of political proportionality. The allocation of questions is set out in Governance Framework Document L – Proportional Allocation of Council Questions.

12.32 In addition to the ability to ask questions with notice for response at a meeting, as detailed in Standing Order 12.31, each Councillor may also ask one question with notice requesting a written response. Responses to questions requiring a written response will be included in the minutes of the meeting.

12.33 Questions from Councillors must:

* relate to Council policy or services, or be an issue that falls within the Council’s responsibilities, but not be about individual or personal issues
* concern a single subject, be concise and not in multiple parts
* be in the form of a question and not a statement
* not name or identify any individual citizens or members of staff
* not be defamatory, offensive or contain factual inaccuracies that could cause reputational damage to the Council
* be addressed to the Council’s lead Councillor on the Nottinghamshire and City of Nottingham Fire and Rescue Authority on the discharge of that authority’s functions, a member of the Executive, the Chair of a Committee or a Chair of any other Council body on a matter within their remit
* take no longer than 45 seconds to ask
* be signed by the questioner and submitted to the Director of Legal and Governance in writing by 9am two clear working days before the meeting of Council at which the questioner wants the question to be asked.

If a question that has been submitted does not meet these requirements then the Lord Mayor, in consultation with the Strategic Director of Legal and Governance, has authority to refuse the question.

12.34 If a matter arises after the deadline for submission of questions that a Councillor considers requires an urgent response and cannot wait until the next meeting of Council, then a political group may withdraw one of their questions and replace it with a question regarding this urgent matter. The deadline for notifying the Strategic Director of Legal and Governance of the withdrawal of a question and the wording of a replacement question is 9am on the working day before the meeting. Any dispute as to the urgency of the question will be decided by the Lord Mayor.

12.35 If the questioner is not present to ask the question at the meeting then, in their absence, the Lord Mayor will read out the question.

12.36 Questions from Councillors will be responded to by:

1. the City Council’s lead Councillor on the Nottinghamshire and City of Nottingham Fire and Rescue Authority to questions regarding the discharge of that authority’s functions; or
2. a member of the Executive, the Chair of a Committee or the Chair of any other City Council body to questions on matters within their remit.

12.37 Following the response to a question at a meeting, a maximum of three supplementary questions without notice may be asked by any Councillor. The original questioner has the right to ask one of these supplementary questions. Supplementary questions must:

* relate directly to the original question
* be in the form of a question and not a statement
* take no longer than 45 seconds to ask.

Any decision about whether a supplementary question meets these requirements will be made by the Lord Mayor. If more than three Councillors wish to ask a supplementary question then the Lord Mayor will determine who is selected to ask their question based on the order in which Councillors indicated they wish to speak, maintaining the right of the original questioner to ask a supplementary question if they wish to do so.

12.38 A Councillor responding to a question submitted in advance under Standing Order 12.31 will be allowed a maximum of 7 minutes to respond. A Councillor responding to a supplementary question under Standing Order 12.37 will be allowed a maximum of 4 minutes to respond. Time limits may be changed at the discretion of the Lord Mayor.

12.39 **Official Communications**

At every ordinary meeting of Council, the Leader of the Council and Chief Executive may announce any official communications about significant matters relating to the Council and/or its responsibilities. The content of such communications is determined by the respective individuals. In the event that this includes reporting the death of a current, or former councillor the Chief Executive and/or Leader of the Council may invite another councillor to give a short tribute to that individual, and a minute’s silence will be held.

12.40 **Motions**

Motions with notice from Councillors must:

* relate to a matter for which the Council has responsibility and/or which affects Nottingham and its residents
* involve action or have an intended outcome that directly impacts on the Council, Nottingham and/or its residents
* not be substantially the same as a motion that has been unsuccessful in the previous 12 months
* not name or identify any individual citizens or members of staff
* have been discussed with the Section 151 Officer if there are potential financial implications and the Strategic Director of Legal and Governance if there are potential legal implications to what is proposed prior to submission, to enable the proposer of the motion to receive advice in relation to such implications.
* be submitted in writing, signed by the proposer of the motion and received by the Director of Legal and Governance at least eight clear working days before the meeting of Council at which the motion is to be considered.

If a motion has been submitted that does not meet these requirements then the Lord Mayor, in consultation with the Director for Legal and Governance, has authority to refuse inclusion of the motion on the meeting agenda.

12.41 If the proposer of the motion is unable to be present at the meeting to move the motion then, prior to the start of the meeting, and with the consent of the Councillor concerned, they can notify the Strategic Director of Legal and Governance that, in their absence, they nominate another Councillor to move the motion on their behalf. If the proposer of the motion is absent from the meeting and has not provided such notification the motion will not be considered at that meeting. The motion can, however, be re-submitted to be considered at a future meeting.

12.42 **Rights of Statutory Governance Officers**

The Monitoring Officer, Chief Finance Officer and Head of Paid Service have a right to access the reports, and associated documents, being considered at a Council meeting; attend a meeting of Council; submit and present a written report to Council; and provide written advice to Council.

12.43 **Rules of debate**

No motion can be discussed until it has been proposed and seconded.

12.44 The proposer of a motion can alter a motion of which they have given notice of with the consent of those present and voting at the meeting. Consent of the meeting will be given without discussion.

12.45 The proposer of a motion can withdraw a motion.

12.46 A Councillor, when seconding, may, if they discloses their intention to do so, reserve their speech until later in the debate.

12.47 A Councillor may ask one question without notice for clarification only to the proposer of a motion when that motion is under consideration by Council. Asking a question for clarification must not be used as a pretext for commenting or making a statement on the motion. The proposer of the motion will respond to the question and will be allowed to speak for up to two minutes in response.

12.48 A Councillor may not speak more than once on a motion, except to raise a point of order, to make a personal explanation, to ask or respond to a question for clarification or to exercise their right of reply. Speeches must relate directly to the matter under discussion, a point of order or a personal explanation. A personal explanation is restricted to some material part of a statement made at any time by that Councillor which may appear to have been misunderstood. or misrepresented in the current debate. Speeches must not name or identify any individual citizens.

12.49 The proposer of a motion has a right of reply at the close of the debate on the motion immediately before it is put to the vote.

12.50 During debates, the following time limits on speakers will apply:

* The proposer of a motion will be allowed a maximum of 15 minutes to speak
* The seconder of a motion will be allowed a maximum of 10 minutes to speak
* The first spokesperson of the largest Opposition Group, or if the debate is in relation to a motion proposed by a Councillor from an Opposition Group then the first spokesperson of the Majority Group, will be allowed a maximum of 10 minutes to speak
* A proposer of a motion will be allowed a maximum of 2 minutes to respond to a question for clarification asked without notice
* Councillors will be allowed a maximum of 5 minutes to exercise a right of reply
* All other speakers on a motion will be allowed a maximum of 5 minutes to speak.

In all cases, time limits may be changed at the discretion of the Lord Mayor.

12.51 For an amendment to a motion to be valid it must:

* have reference to the subject matter of the motion that it is proposed to amend and not have the effect of negating or cancelling that motion
* be submitted to the Lord Mayor in writing and signed by the proposer immediately upon being seconded

12.52 Any amendments to the Council’s budget must be submitted to the Chief Finance Officer to enable them to assess the viability of what is proposed in the context of their statutory duties. Such amendments must be submitted 2 clear working days in advance of the meeting, unless a different timetable is set by the Statutory Governance Officers.

12.53 Following receipt of a valid amendment, the Lord Mayor will ask if any Councillors wish to speak on the amendment and invite those Councillors to speak in turn. At the end of the amendment debate, the proposer of the original motion, or of the last successful amendment, is entitled to speak on the amendment immediately before the right of reply by the proposer of the amendment. Full Council will then vote on the amendment.

12.54 If the amendment is agreed, then the motion as amended takes the place of the original motion and becomes the substantive motion. The right of reply in respect of the substantive motion will belong to the proposer of the successful amendment, or of the last successful amendment if there is more than one.

12.55 A further amendment cannot be moved until Full Council has decided on any earlier amendment.

12.56 A Councillor who has not spoken on the motion before Full Council may, at the conclusion of a speech of another Councillor, propose without comment (provided that they have not previously proposed a motion to the same effect while the same matter is under discussion) the following procedural motions, which can be moved without notice:

* to proceed to the next business
* that the question be now put
* to adjourn a debate
* to adjourn a meeting
* to exclude the public and press in accordance with Article 13 - Access to Information Procedure Rules.

12.57 If a motion to proceed to the next business is seconded and, in the opinion of the Lord Mayor the item has been sufficiently discussed, the Lord Mayor will give the owner of the motion a right of reply and put the procedural motion to the vote. The procedural motion will be carried if it is agreed by two-thirds of those Councillors present and voting.

12.58 If a motion that the question be now put is seconded and, in the opinion of the Lord Mayor the item has been sufficiently discussed the Lord Mayor will put the procedural motion to the vote. The procedural motion will be carried if it is agreed by two-thirds of those Councillors present and voting. If the procedural motion is agreed then the owner of the motion will be given a right of reply and their motion will be put to the vote.

12.59 If a motion to adjourn a debate or a meeting is seconded and, in the opinion of the Lord Mayor, the item has not been sufficiently discussed and cannot reasonably be so on that occasion, the Lord Mayor will put the procedural motion to the vote. The procedural motion will be carried if it is agreed by two-thirds of those Councillors present and voting.

12.60 The usual process and order for managing debate on a motion with notice submitted by a Councillor or a motion to approve a recommendation in a report is as follows:

1. Motion proposed
2. Motion seconded
3. Lord Mayor asks if any Councillor wishes to ask a question for clarification and, if so to receive the response to that question
4. Lord Mayor asks if any Councillor wishes to propose an amendment to the motion and, if so hold a debate and vote on that amendment
5. Debate the motion, or the substantive motion if one or more amendments have been carried
6. Right of reply by the proposer of the motion, or the proposer of the last successful amendment
7. Vote on the motion

12.61 **Voting**

Subject to any legal requirement, voting is by a show of hands. A recorded vote will be carried out on the setting of council tax. Unless otherwise stated, decisions will be taken by the majority of those present and voting. If there is an equal number of votes for and against then the Lord Mayor will have a second or casting vote. Where no formal vote is taken, all those present are assumed to have assented to the final recommendations put to Full Council.

12.62 A Councillor can request that their vote or abstention is recorded in the minutes of the meeting by notifying the Proper Officer of their wish immediately following the vote.

12.63 Except where it is specified otherwise by law, when voting for elections to office, the votes will first be taken for all nominated persons. Each person voting can only vote for one of the nominated persons. After the first vote, the names of any persons nominated who received no votes and the name of the person who received the fewest votes will be withdrawn from further voting. If more than one person receives the smallest number of votes the names of all nominated persons receiving that number of votes will be withdrawn. The votes will then be taken again in the same way for the remaining nominated persons. This process will continue until one nominated person receives the votes of a majority of the Councillors present and that person will be declared to be duly elected.

12.64 **Councillor conduct**

Councillors must comply with the requirements of Article 15 - Councillor Code of Conduct, including declaring any Interest which they are required to do by law or by the Code of Conduct at the specified point on the agenda or as soon as the Interest becomes apparent, and take action in accordance with the requirements of the Code of Conduct.

12.65 Only one councillor may speak at a time. A Councillor who wishes to speak should indicate this to the Lord Mayor and may only speak when called upon to do so by the Lord Mayor, or to raise a point of order.

12.66 A Councillor should stand when speaking and address the Lord Mayor. If standing would cause a Councillor discomfort or difficulty then they may remain seated while speaking.

12.67 Whenever the Lord Mayor rises during a debate any councillor standing must resume their seat and Council must be silent.

12.68 At all times during Full Council meetings Councillors will behave with courtesy and respect towards others and do nothing which might bring the Council into disrepute or disrupt Council business.

12.69 If the Lord Mayor considers that a Councillor is in breach of Standing Order 12.68, he/ she may require the removal of the Councillor from the meeting and/or refer the matter for consideration by the Standards and Governance Committee.

12.70 **Breaches or questions of Standing Orders**

A councillor may raise a point of order about procedure during a meeting without notice provided:

* The point of order is raised immediately the alleged breach becomes apparent
* They only call attention to the alleged breach and do not , upon the pretext of raising the point of order, express differences of opinion or contradict a speaker
* They briefly state the alleged breach to the Lord Mayor, identifying the relevant Standing Order.

Having raised a point of order, a Councillor must resume their seat and be silent. If a point of order has been raised against another Councillor then they must sit down and be silent. The point raised will be decided by the Lord Mayor.

12.71 Standing Orders may be suspended if two-thirds of those Councillors present and voting agree.

12.72 The ruling of the Lord Mayor on all questions of Standing Orders and all matters arising in a debate is final and not open to discussion.

**Committee Meeting Procedures**

12.73 These procedures apply to all Committees and Sub-committees, unless specified differently in an individual Committee’s terms of reference or procedure rules.

12.74 **Membership**

At its annual meeting, Full Council appoints the membership of its Committees for that municipal year. Wherever there is a requirement that a Committee’s membership should be politically balanced, appointment to seats on the Committee will be made in accordance with the wishes of the political group to which those seats are allocated, as expressed by the Chief Whip, if appointed, and if not, by the Leader of that Group.

12.75 Where in-year changes to membership are required, either at the request of the relevant Political Group, or because the member has ceased to be eligible for membership, the Strategic Director of Legal and Governance, or in their absence the Head of Governance, has authority to approve those changes, subject to political balance being preserved where applicable. Such changes will be reported to the next meetings of the relevant Committee and Full Council.

12.76 Attendance by councillors at meetings of committees to which they have been appointed is published on the Council’s website. If a Councillor fails to attend three consecutive meetings of a Council Committee to which they have been appointed without giving a reason for their absence, Full Council should consider removing them from the membership of that Committee.

12.77 The membership of a Committee can include people who are not elected members of the Council. They are referred to as co-opted members. Co-opted members will be non-voting members of the Committee unless otherwise specified in legislation or they have been granted voting rights under the Scheme of Voting Rights for Co-opted Members of Overview and Scrutiny contained within Article 11 – Overview and Scrutiny Procedure Rules. Co-opted members are under the same obligations as elected members of the Council, including complying with the Article 15 - Councillor Code of Conduct.

12.78 The Leader of the Council is responsible for appointing the membership of Executive committees. Any changes to Executive appointments or memberships will be reported to the next meeting of Full Council.

12.79 The current membership of committees can be found in Governance Framework Documents I and J.

12.80 **Chairing**At its annual meeting, Full Council will appoint the Chairs of Committees that it is responsible for appointing for that municipal year. If Full Council does not appoint a Chair to a Committee, the Committee itself will appoint a Chair from within the membership of that Committee, if possible, at its first meeting of the municipal year.

12.81 The Vice Chair will be appointed by the Committee from within the membership of that Committee. If possible, the Vice Chair will be appointed at the Committee’s first meeting of the municipal year.

12.82 If the Chair is present then they must chair the meeting. If the Chair is not present, then the Vice Chair will chair the meeting. If neither the Chair or Vice Chair are present, then a Chair will be appointed for the meeting from within the Committee membership present.

12.83 If an in-year vacancy for a Chair arises, then a Chair will be appointed for the remainder of the municipal year by the Committee from within the membership of that Committee.

12.84 If the Chair of a Committee has been appointed by Full Council, then Full Council can vote, with a simple majority, to remove that Councillor from being the Chair. If the Chair was appointed by the Committee itself, then the Committee can vote by simple majority to remove that Councillor as the Chair.

12.85 Chairs of Executive Committees are appointed by the Leader of the Council.

12.86 **Dates of meetings**

At its annual meeting, Full Council will set the first meeting dates of Council Committees for that municipal year. Each Committee will then agree its own meeting dates for the remainder of the year, in accordance with the frequency of meetings set out in its terms of reference. Dates of meetings can subsequently be changed by the Committee or, if that is not possible, by the Chair in consultation with Committee members representing each political group that has seats on that Committee.

12.87 In addition to scheduled meetings, the Chair, Vice Chair or any three Councillors of a Committee may require that a meeting of that Committee is convened.

12.88 **Summons to meetings**

In accordance with Article 13 - Access to Information Procedure Rules, the Strategic Director of Legal and Governance will give public notice of the intention of hold a meeting of a Committee and send a summons to attend the meeting to every person entitled to attend.

12.89 **Agendas, Minutes and public attendance at committee meetings**

Committee meetings will be held in accordance with Article 13 - Access to Information Procedure Rules, which includes arrangements for access to agendas and reports before meetings, the ability of members of the public to attend and record meetings, access to information after meetings and rules on considering confidential and exempt information and the ability of a Committee to exclude the public from a meeting when such information is being considered.

12.90 Article 13 - Access to Information Procedure Rules sets out additional requirements for Executive meetings, including in relation to the procedure for taking Key Decisions and holding meetings in private.

12.91 **Speaking Rights**

Where individuals who aren’t members of a Committee have specific speaking rights at a meeting of that Committee these are specified in the respective Committee’s terms of reference. In addition, the ability of any other individuals who are not members of a Committee to speak at a meeting of that Committee is at the discretion of the Chair.

12.92 **Quorum**

The quorum for a meeting of a Committee is three unless otherwise stated in the Committee’s terms of reference.

12.93 **Absence**

If a member of a Committee is unable to attend a meeting of that Committee they should submit their apologies for absence to the Head of Governance prior to the start of the meeting concerned, giving the reason for their absence. Apologies and the reasons for absence will be reported to the Committee at its meeting and recorded in the minutes of that meeting.

12.94 **Substitutes**

If a member of a Committee is unable to attend a meeting of that Committee then a substitute member can attend in their place. At its annual meeting, Council will appoint up to six Councillors from each political group represented on the Committee as named substitutes for each Committee which has provision for substitute members.

12.95 If in-year changes to substitute members are required, either at the request of the relevant political group, or because the member has ceased to be eligible to be a substitute, the Strategic Director of Legal and Governance, or in their absence the Head of Governance, has authority to approve those changes, subject to political balance being preserved where applicable. Such changes will be reported to the next meeting of Council.

12.96 Substitutes for Executive Committees are appointed by the Leader of the Council and must be members of the Executive. There can be no substitute members for Executive Board.

12.97 Substitute members have the same powers and duties as an ordinary member of the Committee and therefore can only take part in Committee meetings if they have completed any mandatory training requirements for membership of that Committee. Substitute members may attend meetings in that capacity only to take the place of an ordinary member for whom they are substituting and where the ordinary member will be absent for the whole of the meeting.

12.98 It is the responsibility of the ordinary member who cannot attend to make arrangements for a named substitute to be present in their place and to notify the Head of Governance of the proposed substitution prior to the start of the meeting concerned. The substitution must be for the whole of the meeting. The attendance of substitute members will be recorded in the minutes of the meeting.

12.99 **Conduct at meetings**

Councillors and co-opted members attending a Committee meeting must comply with requirements of the Councillor Code of Conduct including declaring any interest which they are required to do by law or by Article 15 – Councillors’ Code of Conduct at the specified point on the agenda or as soon as the interest becomes apparent and take action in accordance with the requirements of the Code.

12.100At all times during Committee meetings Councillors and co-opted members will behave with courtesy and respect towards others and do nothing which might bring the Council into disrepute or disrupt the Committee’s business.

12.101**Business of the meeting**

At each Committee meeting the following business will be conducted:

* Apologies for absence, if any
* Declarations of interests, if any
* Confirmation of the minutes of the last meeting of the Committee, subject to any amendments
* Consideration of reports as indicated on the agenda for the meeting.

The business of the meeting will be conducted in the order set out in the agenda unless agreed otherwise by the Committee.

12.102 **Minutes**

The minutes of a Committee’s meeting will be considered at the next meeting of that Committee, when the Committee will be asked to confirm the minutes of that meeting as an accurate record. No discussion will take place about the minutes apart from in relation to their accuracy. Once the minutes have been confirmed as an accurate record they will be signed by the Chair.

12.103 **Reports to committees**

Reports to Committees are prepared by officers in accordance with Article 6 - Councillor/ Officer Protocol. A Councillor may submit a report relevant to the remit of a Committee of which they are a member to the Strategic Director of Legal and Governance who will include it on the next available agenda of that Committee.

12.104 Reports to Executive Committees will indicate if they relate to Key Decisions and/or if they are being taken under urgency procedures within Article 11 - Overview and Scrutiny Procedure Rules and Article 13 - Access to Information Procedure Rules.

12.105 **Motions**

Motions in Committees do not require a seconder.

12.106 **Speeches**

Speeches in Committee meetings must relate directly to the matter under discussion, a point of order relating to an alleged breach of procedure or a personal explanation. A personal explanation is restricted to some material part of a statement made at any time by that Councillor which may appear to have been misunderstood. or misrepresented in the current debate. Speeches must not name or identify individual citizens.

12.107 Only one councillor may speak at a time. A Councillor who wishes to speak should indicate this to the Chair and may only speak when called upon to do so by the Chair.

12.108 **Voting**

Subject to any legal requirement, voting is by a show of hands. Decisions will be taken by the majority of those present and voting. If there is an equal number of votes for and against then the person presiding will have a second or casting vote. Where no formal vote is taken, all those present are assumed to have assented to the final recommendations put to the Committee.

12.109 An individual can request that their vote or abstention is recorded in the minutes of the meeting by notifying the Proper Officer of their wish immediately following the vote.

12.110 **Adjournments**

If circumstances require or justify it, then the Chair, with consent of those present at the meeting, can adjourn the meeting. Nothing can be dealt with at an adjourned meeting except unfinished business of the original meeting.

12.111 **Urgent business**

The addition of urgent business to an agenda requires the Chair’s approval and the reason for urgency will be included in the minutes of the meeting.

12.112 If the Chair of an Executive Committee agrees to add an item to an agenda after it has been published, then any reports relating to that item must be available for inspection from the time the item is added to the agenda, provided it is not exempt from publication

12.113 **Establishment of formal Sub-committees**

A Committee can establish a formal Sub-committee and delegate any of its functions to such a Sub-committee. The Committee is responsible for setting the terms of reference and duration of the Sub-committee and appointing the membership, which must be from members of the parent Committee, and the chair. If the Committee establishing the Sub-committee is required to comply with political balance requirements, then the composition of the Sub-committee should be consistent with the principles of political balance. The Leader of the Council or an Executive Committee can establish a Sub-committee of an Executive Committee. Meetings of the Sub-committee will be held in accordance with Article 13 – Access to Information Procedure Rules. Establishment of a Sub-committee will be reported to the next meeting of Full Council and Article 9 or 10 of this Constitution will be amended accordingly.

12.114 **Establishment of informal advisory panels**

A Committee may establish an informal advisory panel, including setting its terms of reference and membership. A Committee cannot delegate any of its functions to such a panel. The membership may include members who are not elected members of the Council. If the Committee establishing the panel is required to comply with political balance requirements, then the composition of the panel should be consistent with the principles of political balance.

12.115 **Rights of Statutory Governance Officers**

The Monitoring Officer, Chief Finance Officer and Head of Paid Service have a right to access the reports, and associated documents, being considered at a Committee meeting; attend a meeting of a Committee; submit and present a written report to a Committee; and provide written advice to a Committee.