

## **Appendix B**

### **References in the Procedure Rules to Notices of Motion**

#### **Council Procedure Rules**

##### **12 Notices of Motion**

- 12.1 A notice of motion must relate to matters for which the Council has responsibility or which affect its area.
- 12.2 The arrangements for submitting and dealing with notices of motion are set out in Appendix 2.

#### **Committee Procedure Rules**

##### **33 Mover of a Motion at Council under Procedure Rule 12: Attendance at Committee and Sub-Committee**

- 33.1 Where a motion has been referred under Procedure Rule 12 from the Council to a Committee or Sub-Committee for consideration and report, the mover of the motion has the right to attend the meeting and to explain the motion.
- 33.2 The mover of the motion will be advised of the date and time of the meeting at which the matter is to be considered and he/she will be sent a copy of the relevant papers.

#### **Executive and Cabinet Procedure Rules**

##### **50 Motion Under Standing Order 12**

- 50.1 A mover of a motion under Standing Order 12 which has been referred to the Cabinet for consideration may attend the meeting of the Cabinet when his/her motion is under consideration and explain the motion. The mover of the motion will be advised of the date and time of the meeting when the matter is to be considered and he/she will be sent a copy of the relevant papers. This does not affect the right of the mover or seconder of the motion to attend a Scrutiny body when his/her motion is being considered.

## **PROCEDURE RULES RELATING TO THE COUNCIL: PROCEDURE RULE 12 - NOTICES OF MOTION**

### **1 Procedure**

Notice of every motion (other than a motion which under Procedure Rule 10 may be moved without notice) shall be given in writing, signed by the Member(s) of the Council giving the notice, and delivered, at least seven clear working days before the next meeting of the Council, to the office of the Monitoring Officer by whom it shall be dated, in the order in which it is received.

### **2 Motions to be set out in Summons**

The summons for every ordinary meeting of the Council will set out all motions of which notice has been duly given, unless the Member giving the notice has intimated in writing, when giving it, that he/she proposed to move it at some later meeting, or has since withdrawn it. The motions will be listed in the summons according to whether they relate to executive or non-executive functions but otherwise in the order in which they have been received.

### **3 Withdrawal of Motion which is before the Council**

Where a notice of motion is before the Council having been formally moved and seconded and the mover wishes subsequently to withdraw it, he/she with the consent of the seconder may do so in writing and with the consent of the Mayor again in writing.

### **4 Motions Not Moved**

If a motion set out in the summons is not moved either by a Member who gave notice of it or by some other Member on his/her behalf it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.

### **5 Automatic reference to Cabinet, Committee/Sub-Committee – Non-executive Function**

If the subject of any motion (which does not relate solely to any executive function or part of a function) comes within the powers, duties and responsibilities of any Committee or Sub-Committee or the Cabinet, it shall, when it has been moved and seconded, stand referred without discussion to such of those bodies as the Mayor may determine, for consideration and report. However, if the Mayor considers it conducive to the despatch of business, the motion may be dealt with at the meeting at which it is brought forward. Unless the Mayor has indicated that he/she proposes to deal with the motion at the meeting, the mover may formally move the motion and reserve the right to speak until the report on the motion comes before the Council.

Advice to the Council on any referred Notice of Motion under this section will be formulated by the Cabinet and by such other bodies (Committees, Sub-Committees, or Panels) as are deemed appropriate. The report to Council will set out the views of all bodies consulted on the Notice of Motion. The Minutes of a Committee or Sub-Committee containing advice to the Council on any referred Notice of Motion shall be dealt with separately from the other Minutes of those bodies.

## **6 Automatic reference to the Cabinet – executive Function**

If the subject of any motion of which notice has been duly given comes solely within the powers, duties and responsibilities of the Cabinet, it shall, when it has been moved and seconded, stand referred to the Cabinet to determine subject to the advice from any other body whose views are sought as determined by Council. The mover on formally moving the motion has the right to speak to the Motion. The seconder may also speak to the Motion. The Mayor will allow a period of fifteen minutes for a debate on any such notices of motion. This period shall include any speeches made by the mover and seconder of the motion in question. At the end of the debate if sooner or upon the expiration of the fifteen minutes, the appropriate Cabinet Member shall have an opportunity to respond. No speeches including the response shall exceed five minutes. No amendments to the motion may be moved. The motion will then stand referred to the Cabinet.

There are no rights of “call in” or “reference to the Council” where the Cabinet has discharged a motion submitted under this Procedure Rule.

## **7 Deferment of a Notice of Motion**

Where a notice of motion has been moved and seconded, and referred for advice, the consideration of the motion may be deferred where the mover and seconder signify in writing his/her agreement to the deferral and the Mayor indicates, in writing, his/her agreement on behalf of the Council. The matter would then come to a subsequent meeting of the Council for report and decision.