

Draft Protocol for Notices of Motion

1. Council meetings are the centrepiece of the democratic process in Herefordshire and we aim to improve the quality and relevance of debate. It is important that Members are given every reasonable assistance to bring matters of public concern to the debating chamber.
2. Under the Council's Procedure Rules, the conduct of a Council meeting is at the direction of the Chairman, who is generally advised by the Monitoring Officer and supported by the Vice Chairman and the Chief Executive. The Chairman's ruling on a point of order is final and cannot be challenged. A motion can be refused if it is "illegal, scurrilous, improper or out of order". However, it is preferable that such issues are identified and rectified in advance whenever possible so that debate is not curtailed.
3. The Procedure Rules have until now only permitted a Member to amend a Notice of Motion at a Council Meeting. By changing these rules, Members will in future be able to alter the wording in consultation with the Monitoring Officer. This will enable advice to be given which reduces the risk of challenge and makes for more effective debate. A Member can also decide to register the subject matter of a notice of motion to retain priority (only three notices of motion can be debated at any one meeting) and finalise the wording at a later date. This needs to take place prior to dispatch of the Agenda. The amended rule is set out below.
4. The Monitoring Officer will advise Members on the technical points of procedure and make suggestions about the most effective form of words. He cannot advise on political matters. If he is not available, assistance can be given by the Head of Governance.
5. Governance Services maintain a record of all Notices of Motion. This can be viewed by all Members and will be accessible by electronic means.
6. This Protocol is intended to enhance democratic participation and help Members with the technical rules of debate which they will encounter. However, once the meeting is in progress, Members are expected to know and fully comply with the Procedure Rules. Failure to follow these may curtail their contribution to the debate. Training on these Rules is given from time to time as part of the Member Training Programme.

Footnote: Amended Procedure Rule

- 4.1.16.1 Except for motions which can be moved without notice under these Council rules, written notice of every motion, signed by at least one Member, must be delivered to the Monitoring Officer not later than midday on the seventh working day before the date of the Meeting. These will be entered in a book open to inspection by the public. A Member cannot sign more than one motion per Meeting.
- “4.1.16.2 ***Notices of Motion may be amended in consultation with the Monitoring Officer at any time prior to the publication of the Agenda by the Member(s) who have signed the notice PROVIDED THAT such amendment shall not change the subject matter of the motion.***”
- 4.1.16.3 ***Notice of Motion delivered under 4.1.16.1 may take the form of a description of the subject matter to be debated, provided that it is subsequently amended under 4.1.16.2”***