

**CONSTITUTION REVIEW WORKING PARTY**

**21 JANUARY 2008**

**SCHEDULE OF RECOMMENDED CHANGES TO COUNCIL STANDING ORDERS**

<b>STANDING ORDER</b>	<b>SUBJECT</b>	<b>PROPOSAL</b>	<b>RATIONALE</b>
1.1viii	Annual Council Meeting – Timing and business	<b>Delete</b> reference to the Policy Development Committee. Refer only to the appointment of at least one scrutiny and overview committee, in lower case.	To allow the Council flexibility in future should it wish to consider further revisions to its scrutiny and overview arrangements.
1.2b	Selection of Councillors on Committees and Outside Bodies	<b>Add</b> the following paragraph 1.2(b):  <i>‘Members of the Executive shall not be entitled to sit on the following committees (excepting the Employment Committee upon which the Portfolio Holder with responsibility for staffing is an ex officio Member);</i>  <ul style="list-style-type: none"> <li>• <i>Planning Committee;</i></li> <li>• <i>Licensing Committee, Licensing Committee (2003 Act), Licensing Committee (2005 Gambling Act);</i></li> <li>• <i>Scrutiny and Overview Committee;</i></li> <li>• <i>Policy Development Committee;</i></li> <li>• <i>Employment Committee;</i></li> <li>• <i>Electoral Arrangements Committee;</i></li> <li>• <i>Corporate Governance Committee.’</i></li> </ul>	For consistency with the Council Resolution to this effect, passed on 24 May 2007.
4.1	Substitute Members	<b>Add</b> the following sentence to Standing Order 4.1:	For consistency with the Council Resolution referred to with Standing Order 1.2 above.

		<p><i>'No Executive Member shall be allowed to substitute on the following committees:</i></p> <ul style="list-style-type: none"> <li>• <i>Planning Committee;</i></li> <li>• <i>Licensing Committee, Licensing Committee (2003 Act), Licensing Committee (2005 Gambling Act);</i></li> <li>• <i>Scrutiny and Overview Committee;</i></li> <li>• <i>Policy Development Committee;</i></li> <li>• <i>Employment Committee;</i></li> <li>• <i>Electoral Arrangements Committee;</i></li> <li>• <i>Corporate Governance Committee.'</i></li> </ul>	
8	Quorum	<p><b>Amend</b> the first sentence of Standing Order 8 to read as follows (amendment marked in <b>bold</b>):</p> <p><i>'The quorum of a meeting will be one quarter of the whole number of members of the Council (or relevant body of the Council), <b>or three, whichever is the greater</b>, unless this Constitution provides otherwise.'</i></p>	It is considered that three is the minimum appropriate number to constitute a quorum for conducting the Council's business. A quorum of three would apply to bodies of the Council comprising 12 Members or fewer.
10.5	Scope of public questions	<p><b>Delete</b> the words marked in <b>bold</b> from the following bullet point:</p> <p><i>(The question) 'relates to a planning application which has yet to be determined <b>by the Planning Committee or by officers under delegated powers.'</b></i></p>	This change makes the Standing Order more clearly applicable to all planning applications, so that it is not necessary to specify all the means by which planning applications are determined.
11.5	Scope of Members questions on notice	<p><b>Delete</b> the words marked in <b>bold</b> from the following bullet point:</p> <p><i>(The question) 'relates to a planning</i></p>	As per Standing Order 10.5 above.

		<i>application which has yet to be determined by the Planning Committee or by officers under delegated powers.'</i>	
12.1(a)	Notice of Motions	<b>Amend</b> Standing Order 12.1(a) to set the deadline for the submission of Motions at <b>six working days</b> before the date of the meeting, not ten calendar days.	For consistency with the deadline for the submission of Member Questions on Notice, still allowing all Notices of Motion to be included on the meeting agenda.
12.1(b)	Notice of Motion for the removal of the Leader from office as Leader, the removal of any individual member of the Executive or the removal of the members of the Executive from office collectively	As per Standing Order 12.1(a) above.	As per Standing Order 12.1(a) above.
13(d)	Motions which may be moved without Notice – Referral to an appropriate body or individual	<b>Add</b> the words marked in <b>bold</b> to Standing Order 13(d):  <i>'To refer something to an appropriate body or individual. <b>If passed, the matter shall stand immediately deferred and shall not be further considered at the meeting.</b>'</i>	For clarification that once a matter has been formally referred elsewhere by Resolution, it cannot be the subject of further debate at the meeting.
13(f)	Motions without Notice – Reports and recommendations of committees or officers.	<b>Add</b> the words marked in <b>bold</b> to Standing Order 13(f):  <i>'To receive reports or adoption of recommendations of <b>the Executive (1), committees or officers and any resolutions following from them. Such recommendations shall be moved and seconded prior to any debate, in accordance with Standing Order 14.1 below (2);'</b></i>	(1) For consistency, to reflect that Council considers recommendations from the Cabinet. (2) For clarification – rules of debate apply equally when considering recommendations and Notices of Motion, and should be formally moved and seconded before

			being debated.
14.6(a)(i)	Allowable amendments to Motions	<b>Delete</b> Standing Order 14.6(a)(i):  <i>'To refer the matter to an appropriate body or individual for consideration or reconsideration.'</i>	For consistency, it is considered that these proposals should be dealt with as Procedural Motions without Notice under Standing Order 13 (see above), not as amendments.
14.10	Motions which may be moved during debate	<b>Add</b> the following Standing Order 14.10(g):  <i>'To refer something to an appropriate body or individual in accordance with Standing Order 13(d) above.'</i>	To reflect the proposal that referrals to another body or person should be made as a Procedural Motions without Notice, not as amendments.
New Standing Order 14.14	Application of Rules of Debate	<b>Add</b> the following Standing Order 14.14:  <i>'These Rules of Debate shall apply to the consideration of all Council business where debate is allowable under these Standing Orders or at the Chairman's discretion.'</i>	To make clear that the Rules of Debate apply to all debates at Council meetings e.g. reports and recommendations as well as Notices of Motion.
18.2	Record of attendance – Removal of a Member	<b>Amend</b> Standing Order 18.2 to read as follows (changes marked in <b>bold</b> ):  <b><i>The Council may remove a member from a body to which he or she has previously been appointed, if the member has missed four consecutive meetings of the body concerned.</i></b>	Currently the component body has authority to remove a member in this way. Given that authority to grant committee membership lies with Council, it follows that Council should retain authority to revoke it.
22.1	Suspension of Standing Orders	<b>Amend</b> Standing Order 22.1 as follows (changes marked in <b>bold</b> ):  <i>'All <b>or any</b> Standing Orders, except Standing Orders 16.6 (<b>Right to require individual vote to be recorded</b>) and 17.2 (<b>No</b></i>	To make clear that:  <ul style="list-style-type: none"> <li>• Standing Orders may be suspended individually or collectively, and</li> <li>• The maximum period of</li> </ul>

		<p><b>requirement to sign minutes of previous meeting at extraordinary meeting) may be suspended by motion on notice or without notice if requested by at least two thirds of councillors present and voting. The mover of the motion shall specify which Standing Order(s) he or she wishes to suspend as well as the business to which the suspension shall apply. Suspension may be for no longer than the duration of the meeting.'</b></p>	<p>any suspension is the duration of the meeting.</p>
23(c) and (e)	<p>Application of Standing Orders to Executive, Committees and Sub-Committees</p>	<p><b>Amend</b> Standing Orders 23(c) and (e) to refer to Standing Orders 4-9 and 11-23.</p>	<p>For consistency. The provisions of Standing Order 4 (Appointment of Substitutes) are clearly intended to apply to committees and sub-committees.</p>