

Constitutional Working Party Recommendations in relation to other possible constitutional amendments as part of the Motion from Council referred to Cabinet on 7th January 2008

6. Other possible constitutional amendments that the Monitoring Officer, Overview and Scrutiny or the Constitutional Working Party consider worthy of consideration.

1. Motions – Council Procedure Rules

The working Party had a discussion of the Council Procedure Rules for Motions and the following was agreed:

- (A) That the submission deadline for amendments to motions be increased by 2 and half working days. If Council meetings are scheduled for Monday, amendments should be submitted to the Monitoring Officer by 12noon on the Thursday before the meeting. Monitoring Officer to circulate electronically the valid amendments to Political Group Leader's and Political Assistants by 12noon the following day (Friday).
- (B) The speaking time for all Councillors be reduced to 5 minutes for Movers and 3 minutes for Seconders and all other Councillor speakers.
- (C) Clause 6.7 of the Constitution –
- To give Mayor the discretion to amend a motion on factual or grammatical basis, which did not have an impact on the meaning of the motion.
 - The full clause would no longer be applicable with recommendation 1 above.
 - 6.7 Clause should be moved to Clause 3.4.
- (D) Right to Reply –
- No debate should take place at the time an Amendment is put forward. The Amendment should be voted upon. If the amendment is accepted it would become the substantive Motion and the debate should take place on the substantive Motion. If the Amendment is lost the debate should take place on the Original Motion. The speeches allowed under Amendments would be restricted to the Mover (5minutes) and Secunder (3 minutes) and a right to reply to the Mover of the original motion.
 - The Secunder should have a right to speak on a substantive Motion.
- (E) Clause 6.11 of the Constitution 'Closure of Motion' –
- A Member who has already spoken on the Motion should not have a right to request closure of the Motion.
 - Discretion should be given to the Mayor to reject a closure of Motion, if deemed that an adequate debate had not taken place.

- (F) Number of Ordinary Motions – Restriction of three Ordinary Motions per meeting is considered. Discretion should be given to the Mayor to allow additional Motions should a need arise.
- (G) Motions would normally be considered in the order they had been received but at the discretion of the Mayor (in conjunction with the Group Whips) this order could be varied.
- 2. Public Speaking at Planning**
- (A) That the Public Speaking Protocol be varied to allow the Chair discretion to allow the reallocation of speakers' places where a registered speaker fails to attend the Planning Committee meeting.
- (B) That the Public Speaking Protocol is varied to extend the particular Ward Councillor's notification of registration to speak, to the start of the meeting.
- (C) That the Solicitor to the Council give consideration to changing the order of speaking so that those in favour of an application speak before those against.
- 3. Substitution on Licensing and Planning Committees**
- (A) That a scheme substitution for Licensing and Planning Committees be devised on the basis of one named substitute per group per Committee.
- (B) Each substitute member to go through the appropriate training and to attend at least three meetings of that Committee each municipal year as an observer.
- (C) Substitutes attendance as observers at Planning Committee and Licensing Committee to be shown in the attendance (in the Minutes).
- (D) That these substitution rules would need to be rigorously enforced due to the risk of appeal of decisions if substitutes were not seen to be fully competent.
- 4. Opposition Group Business –**
- (A) To include an Item 'Opposition Group Business' as a standing item on the Agenda for the Opposition Group Business, which could include Opposition motions.
- (B) Time limit of 10 minutes is allocated to the item. The meetings would consider business from only one opposition group per meeting based on the political proportionality. Proportionality would apply over the life of the Council and be reviewed after each election including bi-elections. Currently the proportionality equates to one meeting for Labour Group for every three meetings to the Conservatives.

- (C) The administration would not be able to submit amendments on any Motion submitted under this item
- (D) The item should only apply to ordinary meetings
- (E) Members of the Public should be excluded from speaking on this item.

4. Use of Traffic Light System in Council Chamber

The Constitution includes the use of the traffic light system in the Council Chamber from the first Meeting of Council in May 2007 and that the traffic light system would be strictly adhered to.

5. Re-Order Council Agenda

'Matters of Urgency' item be reordered on the Agenda to take place before the item 'Notices of Motion'.

6. Councillors Speaking at Cabinet

Agreed the alterations to the Access to Information Procedural Rules and the Guidelines for Open Government in respect of the Guidelines for Open Government paragraph 4.2.4.3 that Councillors wishing to speak at Cabinet meetings would only need to inform the Chair prior to the start of the meeting.

7. Planning Protocol

Agreed the following alterations to the Appendix to the Planning Protocol. It was agreed that paragraph 1.1 be clarified in so far as the reference to a representative of a Parish Council "in whose area the application falls" and that it be made clear that Ward Councillors would not be required to pre-register their wishing to address the Committee.

8. Tree Preservation Orders (TPOs) – Delegated Powers

Delegations to Officers in relation to Tree Preservation Orders need to be amended so as to allow the emergency in position of TPOs by officers and subsequent report to be made to the Planning Committee where this delegation had been used.

9. Listed Building Consents

To look into the need/possibility for a Delegation to Officers for the granting of emergency listed building consents and subsequent report to the Planning Committee where this delegation has been used.

10. Contract Procedure Rule

Minor amendments were required to the Contract Procedure Rules, which would be submitted to the Working Party.

