

## **Report to Council**

**Subject:** Review of Council Procedure Rules

**Date:** 17 April 2024

**Author:** Interim Corporate Director

### **Purpose**

To seek approval of the amended Council's Procedure Rules.

### **Recommendation(s)**

#### **THAT Council:**

- 1) Agrees the amended procedure rules at Appendix 1 to this report.**
- 2) Authorises the Monitoring officer to update the Constitution and any minor amendments to formatting or typographical errors.**

## **1 Background**

- 1.1 Section 4 of the Council's Constitution sets out the Procedure Rules for Full Council. These rules provide the framework for the running of Council meetings and have been established in line with legislative requirements to ensure good governance at meetings and in decision making.
- 1.2 In July 2023, Council approved the establishment of a cross party working group to review the procedure rules. Since July, the working group has met on three occasions with the Monitoring Officer and Democratic Services Manager to consider changes to the rules. As a result of this work, the procedure rules have been amended and are presented to Council for consideration.
- 1.3 The rules have been reviewed and include the following changes:
  - All references to officers and Councillors and the Mayor have been amended to ensure they are not presented in the masculine.
  - Wherever possible wording has been simplified
  - The layout of the rules has changed to ensure, particularly for rules of debate, that sections are easy to find and rules are now set out

under separate headings.

- The rules around public questions have been amended to give structure to public questions and clarify that the Mayor can determine whether questions be put in a questioners absence.
- The time limits for submitting motions has increased to eight working days in order to enable better administration of the motion process prior to publication of agendas.
- All motions must now be considered by the Mayor prior to publication, only the mayor may reject a motion.
- The rules for the budget meeting have been clarified including the requirement for recorded votes and clarity on agenda items.
- A time limit for submission of petitions has been introduced in line with submission of public questions to enable assessment prior to publication.
- Not all changes to constitutional rules will require two passes though council, only procedure rules.
- Examples of common points of order have been included in the rules.

1.4 In the round, the changes to the procedure rules are not significantly changing the process and procedures for the meeting, nor the remit of the council. There are no changes to time limits and the usual questions by public, councillors and petitions remain.

## **2 Proposal**

2.1 It is proposed that the amended procedure rules at Appendix 1 be approved. The proposed amendments have been made in consultation and discussion with the working group and in accordance with legislative requirements set out in the Local Government Act 1972 and regulations made thereunder.

2.2 It is proposed that the Monitoring Officer, if the amendments are approved, updates the Constitution, and ensures any typo or formatting issues are resolved.

2.3 As per the current procedural rules, this report will stand adjourned without debate until the next council meeting on 17 April 2024. The report will be debated and hopefully signed off in April 2024, to allow the new rules to come into force for the 2024/25 municipal year.

## **3 Alternative Options**

3.1 Members could determine not to amend the Procedural Rules, however, the amendments proposed have been considered in detail by the working group and are considered necessary to provide clarity for members and

the public on the procedure for Council meetings.

#### **4 Financial Implications**

4.1 There are no financial implications arising out of this report.

#### **5 Legal Implications**

5.1 The Council's Procedural Rules follow requirements set out in the relevant local government legislation including the 1972 and 2000 Local Government Acts. The changes proposed are in accordance with legislative requirements. It is also proposed as part of the changes that when preparing motions, councillors have regard to any practical guidance issued. The Monitoring Officer will update the draft Motions Protocol and issue to members to provide practical guidance on motions.

#### **6 Equalities Implications**

6.1 The procedure rules have been reviewed to ensure that terms are not all masculine and to try and make the process clearer in terms of layout.

#### **7 Carbon Reduction/Environmental Sustainability Implications**

7.1 There are no carbon reduction/sustainability implications arising from this report.

#### **8 Appendices**

8.1 Appendix 1 – Amended Council Procedural Rules (Section 4 of the constitution)

#### **9 Background Papers**

9.1 None

#### **10 Reasons for decision**

10.1 To ensure efficiency and legality in the running of Council meetings.

#### **Statutory Officer approval**

**Approved by:**

**Date:**

**On behalf of the Chief Financial Officer**

**Drafted by the Monitoring Officer**