

REPORT TO CONSTITUTION COMMITTEE

REPORT OF: CHAIRMAN OF THE CONSITUTION COMMITTEE

REPORT NO: LDS057

DATE: 16th April 2012

TITLE:	AMENDMENT TO MOTIONS ON NOTICE GIVEN UNDER COUNCIL PROCEDURE RULE 12	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Contstitutional change	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Councillor Paul Carpenter Engagement & Corporate Governance	
CONTACT OFFICER:	Lucy Youles Head of Legal & Democratic Services l.youles@southkesteven.gov.uk	
INITIAL IMPACT ASSESSMENT:	Carried out and Referred to in paragraph (7) below	Full impact assessment Required:
Equality and Diversity		
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Your Council and Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	Council minute 139 17.05.07	

1. RECOMMENDATIONS

The Constitution Committee recommend to Council that the Constitution be amended at clause 12 of the Council Procedure Rules (attached to this report for reference at Appendix A) regarding notices of motion at meetings of the Council as follows;

1.1 No more than two notices of motion will be debated at any single Council meeting. The time and date of all motions received by the Chief Executive in accordance with this clause 12.1 will be recorded and the first two valid motions received in accordance with this clause 12 will be set out in the agenda in accordance with clause 12.2.

1.2 No motions on notice will be included on the agenda or considered at the annual budget setting meeting;

1.3 Each member may propose only one motion for the agenda of any meeting. If any valid motion received is not included on the agenda of the next Council meeting, the proposer can request that the motion proposed be put forward to be included on the agenda of the next appropriate Council meeting.

2. PURPOSE OF THE REPORT

For Members of the Constitution Committee to discuss proposed changes to the Constitution concerning Motions on Notice given under Council Procedure Rule 12 and recommend any change to Council.

3. DETAILS OF REPORT

Currently the number of Motions on Notice at Council meetings is restricted to each Member having the opportunity to present two Motions on Notice on each Council agenda. This means that potentially there could be in excess of 100 Motions on Notice on a Council agenda if each Member submitted two motions within the correct timeframe.

In order that the motions submitted to Council are debated properly and are given due consideration it is recommended that only two Motions on Notice be allowed to be submitted per Council meeting and that no Motions on Notice be submitted to the annual budget setting meeting.

The provision of a time guillotine (implemented by the Chairman) should also be available for each Motion on Notice due to time constraints which may be in place due to the length of a Council agenda.

The Chief Executive would determine the motions to go on the agenda, however, in common with other authorities which operate similar arrangements, it would usually be the first two motions received that complied with the rules relating to Motions on Notice that would be included on the agenda. The final decision would rest with the Chief Executive. Any further motions received would be held

over for the next available meeting provided the proposer wished the motion to be put at a later date.

4. OTHER OPTIONS CONSIDERED

To keep the current arrangements and determine whether or not to continue with the meeting in accordance with clause 9 or clause 14.11 of the Council Procedure Rules which are attached to this report for reference at Appendix B

5. RESOURCE IMPLICATIONS

n/a

6. RISK AND MITIGATION

The proposal is made to mitigate the risk of multiple motions being proposed without sufficient time to consider each motion proposed.

7. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT

n/a

8. CRIME AND DISORDER IMPLICATIONS

n/a

9. COMMENTS OF FINANCIAL SERVICES

There is no financial impact arising from the proposal made.

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

The Constitution Committee is required to consider any changes to the constitution proposed. The proposal is for a change to paragraph 12 as set out in the recommendations above.

11. COMMENTS OF OTHER RELEVANT SERVICES

12. APPENDICES:

Appendix A – Clause 12 Council Procedure Rules

Appendix B – Clause 9 and Clause 14.11 Council Procedure Rules