

Extract from report of the Director of Law and Democratic Services to the Corporate Governance Review Working Group on 7th March 2013

Motions at Council Meetings

- 3.15 The Leader of the Council has asked the Review Working Group to consider an amendment to the Council's Standing Orders to prevent notices of motions from Councillors being considered at the Annual Meeting of Council, or at an extraordinary (special) meeting of the Council. It is understood that the reason for this is that Annual Council and extraordinary meetings of Council are convened primarily to be focused on particular issues and if notices of motion are allowed to be debated then this shifts the focus of the meeting and detracts from its primary purpose. This would not prevent an item of business being considered by Council that the Mayor considers to be urgent.
- 3.16 If the Working Group is supportive of this proposal it is requested to recommend the Director of Law and Democratic Services, as part of his annual review of the Constitution, he seek to amend Standing Order 4(k) to read –
- (k) To consider notices of motion in the order in which notice has been received, (with the exception of at the Annual Meeting of Council or at an extraordinary meeting of the Council, which is not convened to consider the subject matter of the Motion).
- 3.17 The Leader of the Council's Minority Group has raised concerns about the content of some recent Motions placed before the Council for debate. Specifically, that these sought either to pre-empt decisions to be taken by the Council at a future meeting, or deal with matters that would more appropriately be dealt with on hustings rather than in the Council chamber.
- 3.18 As members will know, the Director of Law and Democratic Services offers advice on the wording of a Notice of Motion but has no discretion to exclude such Motion provided it does not contravene any provision of Standing Orders.
- 3.19 Accordingly, the Review Working Group is asked to consider whether Notices of Motion should comply with any specified criteria before being able to be placed on the agenda for a Council meeting, and if so, what that criteria should be and who should decide it. The views of the Working Group are sought.
- 3.20 The Leader of the Council's Opposition Group has requested that this Working Group give consideration to a proposal that all Councillors and political groups should be required to provide a minimum of 24 hours' notice to Councillors of any proposed amendment to a "Notice of Motion" appearing on the agenda for Council meetings.

- 3.21 There are a number of practical, as well as political, issues raised by this proposal if it is to be considered further for adoption, and so the views of the Working Group are sought.

The 14th Report of the Committee on Standards in Public Life

- 3.22 In its latest report, issued in January 2013, the Committee on Standards in Public Life have reviewed the seven principles of public life. When reviewing the local Code, members agreed that the preamble to the Code should include an expansion of the 7 principles as this was thought helpful. These are set out on page 245 of the current Constitution.
- 3.23 As it would be preferable for Borough Councillors to be acting on the same basis as other holders of public office, it is suggested that the current preamble be amended to accord with that set out in the 14th Report (Appendix 1 refers). It is considered that this aims to achieve consistency rather than introduce any substantive changes.