

MEETING / DECISION MAKER:	AUDIT AND GOVERNANCE COMMITTEE
DATE:	5 DECEMBER 2012
TITLE OF REPORT:	NOTICES OF MOTION
REPORT BY:	ASSISTANT DIRECTOR LAW, GOVERNANCE AND RESILIENCE

1. Classification

1.1 Open.

2. Key Decision

2.1 This is not a key decision.

3. Wards Affected

3.1 County-wide.

4. Purpose

4.1 To recommend a change to the Council's Procedure Rules for notices of motion and a protocol for adoption.

5. Recommendation(s)

THAT: it be recommended to Council that:

- (a) **Procedure Rules 4.1.16 be amended as indicated in the Protocol appended to the report; and**
- (b) **The protocol appended to the report be adopted.**

6. Key Points Summary

6.1 These proposals respond to difficulties highlighted at the September Council Meeting with regard to formulating Notices of Motion.

7. Alternative Options

- 7.1 The existing rule could remain, in which event Members would need to perfect their notice of motion before lodging and make amendments only at the Council Meeting.

8. Reasons for Recommendations

- 8.1 The Protocol and amendment to the Procedure Rule allow greater flexibility to ensure motions for debate are properly formulated.

9. Introduction and Background

- 9.1 At the September meeting of Council, difficulties in the process for amending notices of motion were highlighted. Under the current rules, such notices are delivered to the Monitoring Officer and are entered in a book open to inspection by the public. They cannot then be changed until the Council meeting. If withdrawn for changes to be made and relogged, the notice could lose priority because only three such notices can be debated at any one Council meeting. The agenda for the Council meeting often contains wording for notices of motion which are likely to be changed at Council and this makes it difficult for Members to respond in a constructive way in debate.

10. Key Considerations

- 10.1 The appended Protocol and Amended Procedure Rule allows Members to retain priority in the notices of motion by lodging a notice of motion (or a description of the subject matter) and to then change the wording to better effect with the assistance of the Monitoring Officer.

11. Community Impact

- 11.1 Matters of community impact should be the subject of informed debate and these proposals further that purpose.

12. Equality and Human Rights

- 12.1 Upon examination, the General Duty under section 149 of the Equality Act 2010 does not raise issues requiring consideration in this report.

13. Financial Implications

- 13.1 None.

14. Legal Implications

- 14.1 None, save as identified in the report.

15. Risk Management

- 15.1 If these proposals are not adopted, then consideration of matters for debate at Council may be flawed and time wasted at meetings.

16. Consultees

- 16.1 These proposals have been considered and endorsed by Group Leaders.

17. Appendices

- 17.1 Draft Protocol and amended Procedure Rule.

18. Background Papers

- 18.1 None identified.