

Council	
Meeting Date	26 June 2019
Report Title	Amendments to the Constitution
Cabinet Member	Cllr Roger Truelove
SMT Lead	David Clifford, Monitoring Officer
Head of Service	Patricia Narebor, Head of Legal Partnership
Lead Officer	Estelle Culligan, Principal Solicitor
Key Decision	No
Classification	Open
Recommendations	<p>1 To agree to amend the Constitution as follows:</p> <p>1.1 To amend the Council Procedure Rules section 14, Member Questions, in accordance with the changes set out in Appendix 2.</p> <p>1.2 To amend the Council Procedure Rules section 18, Leader's Statement, in accordance with the changes set out in Appendix 4.</p> <p>1.3 To amend the Public Participation Rules, section 5, Planning Committee, in accordance with the changes set out in Appendix 6</p> <p>2 To agree that the amendments set out in 1.1 to 1.3 of this section, take effect immediately.</p>

1 Purpose of Report and Executive Summary

- 1.1 This report sets out proposed minor amendments to the procedures under the Council Procedure Rules and the Public Participation Rules.
- 1.2 If approved, it is proposed that the changes come into effect immediately, so that the procedures are followed for tonight's meeting.

2 Background

- 2.1 The Leader and Cabinet have expressed a desire for more openness and public involvement in Council procedures. This report sets out proposals to amend the Council Procedure Rules relating to the Leader's Statement and Member Questions and a proposal to amend the Public Participation Rules relating to the speaking rights of towns and parishes on planning applications.

2.2 Questions from Members

- 2.3 The current procedures are set out in Paragraph 14 of the Council Procedure Rules in the Constitution and are attached at Appendix 1.
- 2.4 It is proposed that the previous practice of tabling written questions and written answers is changed so that all questions are given orally and answered orally, i.e. not only the supplemental questions. The current total time allowed for questions and answers is 30 minutes, with no time limit per question for the first question and answer (which is currently written and tabled), but with a 3 minute limit for a supplementary question and answer. It is proposed to remove this limit for supplementary questions but require the questions to be kept succinct and related to the original question and answer. It is proposed to keep the overall time limit of 30 minutes for the item. An unnecessary paragraph at the beginning of the section has also been deleted. The proposed changes are shown in the attached Appendix 2.

2.5 The Leader's Statement

- 2.6 The current procedure for the Leader's statement is set out at section 18 of the Council Procedure Rules and can be seen at Appendix 3. It is proposed that the procedure is changed as follows: The Leader's statement will not be tabled but will be given orally. The leaders of all groups not represented on Cabinet may make statements in response to the Leader's statement, to which the Leader will have a right of reply. There is currently no time limit for the Leader's statement or responses. It is proposed that the Leader has seven minutes to deliver his/her statement, the leader of groups who wish to respond have a maximum of five minutes each and the Leader's right of reply at the end is a maximum of three minutes. The proposed changes are shown in the attached Appendix 4.

2.7 Public Participation Rules

- 2.8 The rules relating to speaking rights at Planning Committee are set out at section 5 of the Public Participation Rules and can be found in Appendix 5. Currently, only a representative of the parish council of the ward in which the application is situated, is allowed to speak at committee. It is proposed to amend the rules to allow additional speaking rights to any parishes who feel that they are affected by the application. The proposed changes are shown in the attached Appendix 6.

3 Alternative Options

- 3.1 The Committee could decide to keep the existing rules as they are. There are no alternative proposals except those recommended in this report.

4 Consultation Undertaken or Proposed

- 4.1 The proposed amendments have been requested by the Leader and Cabinet. There has been no further consultation. If the recommendations are approved, the report will be considered by Council, in order to amend the Constitution.
- 4.2 The report has been previously considered by General Purposes Committee on 12 June. This report reflects all comments made by that committee.

5 Implications

- 5.1 The recommendations simply amend the procedure rules in fairly minor ways. There are unlikely to be any wider implications.

6 Appendices

- 6.1 Appendix 1 Current Council Procedure Rules section 14
- Appendix 2 Proposed amended Council Procedure Rules section 14
- Appendix 3 Current Council Procedure Rules section 18
- Appendix 4 Proposed amended Council Procedure Rules section 18
- Appendix 5 Current Public Participation Rules section 5
- Appendix 6 Proposed amended Public Participation Rules section 5.

7 Background Papers

- 8.1 None