

Borough Council of
**King's Lynn &
West Norfolk**



Corporate Performance Panel

Agenda

Wednesday, 30th October, 2024
at 4.30 pm

in the

**Council Chamber, Town Hall, Saturday
Market Place, King's Lynn and available
for the public to view on You Tube**



King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX
Telephone: 01553 616200

22nd October 2024

Dear Member

Corporate Performance Panel

You are invited to attend a meeting of the above-mentioned Panel which will be held on **Wednesday, 30th October, 2024 at 4.30 pm** in the **Council Chamber, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ** to discuss the business shown below.

Yours sincerely

Chief Executive

AGENDA

1. Apologies

2. Declarations of Interest (Page 4)

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the Member should withdraw from the room whilst the matter is discussed.

These declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on any item or simply observing the meeting from the public seating area.

3. Urgent Business Under Standing Order 7

To consider any business which, by reason of special circumstances, the Chairman proposed to accept as urgent under Section 100(b)(4)(b) of the Local Government Act 1972.

4. Members Present Pursuant to Standing Order 34

Members wishing to speak pursuant to Standing Order 34 should inform the Chairman of their intention to do so and on what items they wish to be heard before the meeting commences. Any Member attending the meeting under Standing Order 34 will only be permitted to speak on those items which have been previously notified to the Chairman.

5. Chair's Correspondence (if any)

6. Call Ins (if any)

7. Report from the Constitution Informal Working Group (Pages 5 - 66)

Appendix 1: List of Key Issues

Appendix 2: Draft Council Procedure Rules

Appendix 3: Schedule of Substantive Changes to Constitution

Appendix 4: Schedule of minor amendments to the Constitution

Appendix 5: Minutes of all CIWG meetings during 2024 (21st October minutes to follow)

8. Date of Next Meeting

To note that the next meeting of the Corporate Performance Panel is scheduled to take place on 27th November 2024 at 4.30pm in the Town Hall, Saturday Market Place, King's Lynn.

To:

Corporate Performance Panel: J Bhondi, R Blunt (Vice-Chair), Mrs J Collingham, B Jones, B Long (Chair), S Nash, J Osborne, C Rose, A Ryves, S Sandell, D Sayers and Mrs V Spikings

Portfolio Holders:

Councillor Beales – Leader – Agenda Item 8

Officers

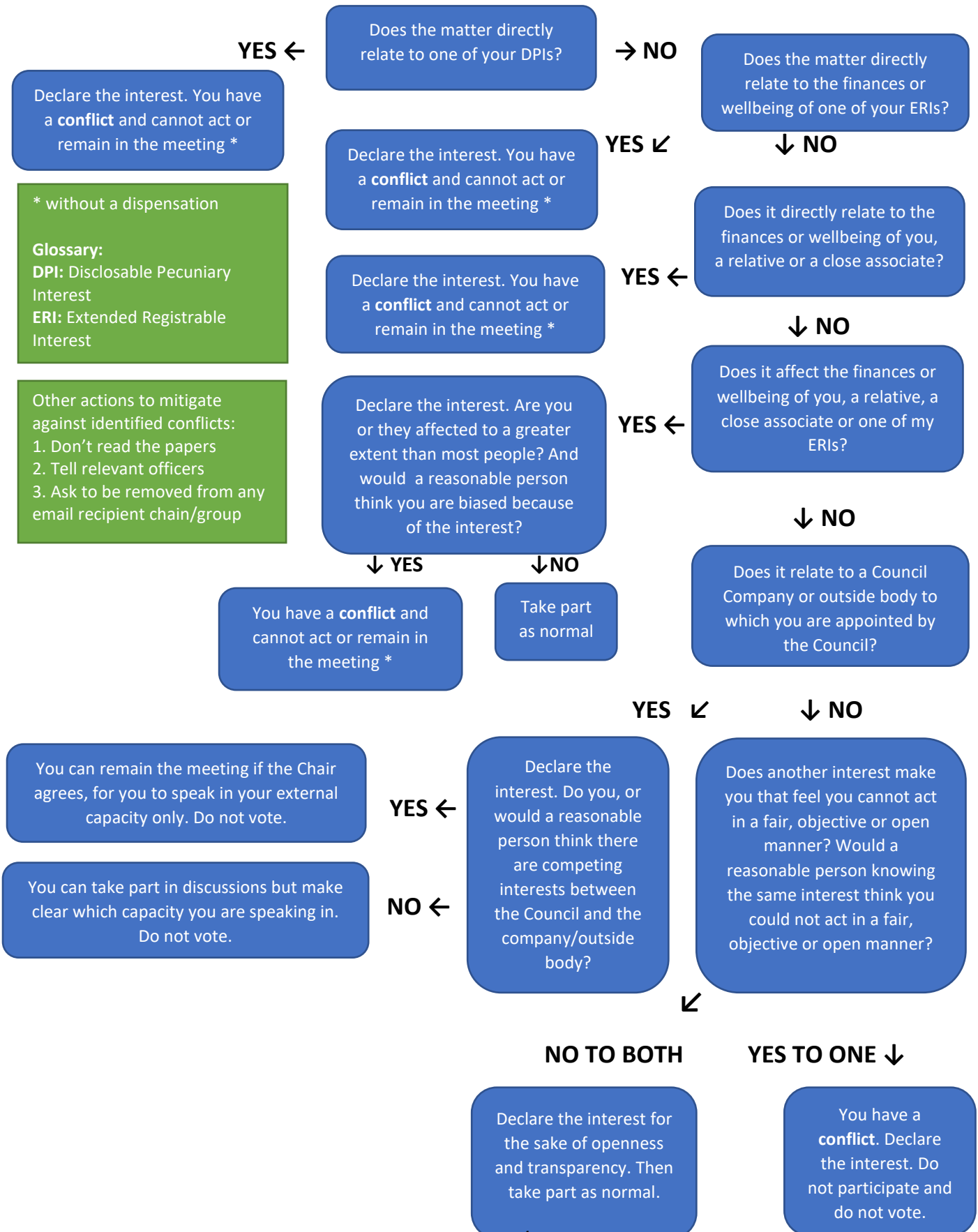
Becky Box – Assistant Director

Alexa Baker – Monitoring Officer

DECLARING AN INTEREST AND MANAGING ANY CONFLICTS FLOWCHART



START



POLICY REVIEW AND DEVELOPMENT PANEL REPORT

REPORT TO:	Corporate Performance Panel		
DATE OF MEETING:	30 October 2024		
DATE:	22 October 2024		
TITLE:	Proposals from the Constitution Informal Working Group		
TYPE OF REPORT:	Policy Development		
PORTFOLIO(S):	Leader		
REPORT AUTHOR:	Monitoring Officer		
OPEN/EXEMPT	Open	WILL BE SUBJECT TO A FUTURE CABINET REPORT:	Yes

REPORT SUMMARY**SUMMARY:**

The Constitution Informal Working Group (“CIWG”) has met four times since its establishment in March 2024. The ‘deep dive’ area the CIWG has been working on during that time is the preparation of a set of “Council Procedure Rules”. These are now presented to CPP in draft for consideration and onwards recommendations to Cabinet along with a schedule of other substantive changes to the Constitution and a separate schedule of minor consequential drafting changes.

Appendices:

Appendix 1: List of Key Issues

Appendix 2: Draft Council Procedure Rules

Appendix 3: Schedule of Substantive Changes to Constitution

Appendix 4: Schedule of minor amendments to the Constitution

Appendix 5: Minutes of all CIWG meetings during 2024 (21 October minutes to follow)

KEY ISSUES:

The attached draft Council Procedure Rules are the culmination of work undertaken by the CIWG since May 2024. Their purpose is to draw together all the procedural rules that apply to meetings of Full Council for ease of reference for Members, officers and members of the public.

The draft Council Procedure Rules pick up the key issues identified by the CIWG in its first meeting around introducing a ‘Budget Meeting’, Notices of Moton, Questions to Cabinet Members and Chairs.

There is an additional schedule of Substantive Changes to the Constitution to address the proposed changes to the number of Members on Planning Committee, Licencing Committee and Licensing and Appeals Board, changes to Standing Order 34 on Members’ right to speak at meetings and lastly introducing a defined procedure around the election and removal of a Leader. There is also one other proposed amendment to Standing Order 23 to rationalise the procedure around Chief Officer recruitment.

The proposed introduction of Council Procedure Rules means there would be a consequential impact on Standing Orders, for which there is a Schedule of Minor Amendments to the Constitution schedule for consideration. It should be noted that until there is a set of Procedure Rules for Cabinet and Committees, there will necessarily be duplication between the Standing Orders and the Council Procedure Rules, but this will be

addressed through the work of the CIWG during 2025.

There is a list of key issues included with this paper at Appendix 1 for ease of reference for Members. This is not a fixed list of issues for consideration by CPP; any section of the appendices can be debated.

OTHER OPTIONS CONSIDERED:

- A) In identified areas of the appendices there are 'alternatives' set out within the drafting for consideration by CPP, however this does not preclude other alternatives being moved at CPP.
- B) Members are directed to the minutes of the CIWG meetings for reference to other options considered.

RECOMMENDATIONS:

CPP is invited to consider the attached drafts of:

- 1. Council Procedure Rules
- 2. Schedule of Substantive Changes to Constitution
- 3. Schedule of minor amendments to Standing Orders

and determine the onward recommendations to Cabinet with regards to any changes, alterations, deletions or additions to the listed documents.

REASONS FOR RECOMMENDATIONS:

To support the process of the review of the Constitution.

REPORT DETAIL

1. Introduction

The Constitution Informal Working Group ("CIWG") has met four times since its establishment in March 2024. The 'deep dive' area the CIWG has been working on during that time is the preparation of a set of "Council Procedure Rules". Other substantive changes were considered.

The CIWG will be determining its forward work programme for the continuing review of the Constitution in the New Year.

The current proposals are due to be considered by Cabinet on 5 November 2024 and Full Council on 28 November 2024.

2. Proposal.

CPP is invited to consider the attached drafts of:

- 1. Council Procedure Rules
- 2. Schedule of Substantive Changes to Constitution

3. Schedule of minor amendments to Standing Orders

and determine the onward recommendations to Cabinet with regards to any changes, alterations, deletions or additions to the listed documents.

3. Issues for the Panel to Consider

There is a list of key issues included with this paper at Appendix 1 for ease of reference for Members. This is not a fixed list of issues for consideration by CPP; any section of the appendices can be debated.

4. Corporate Priorities

With regards to the new proposed Corporate Strategy, reviewing the Constitution will serve to promote the following priority:

Efficient and effective delivery of our services: To provide cost-effective, efficient services that meet the needs of our local communities, promote good governance, and provide sustainable financial planning and appropriate staffing.

And the following key principle:

Transparently: We will be open, honest and transparent in our decision making and ensure we follow best practice in governance

5. Financial Implications

There will be a resource strain in the Finance team in order to cover the cost of reviewing proposed amendments or alternative budgets before Full Council. This additional resource requirement is in the process of being estimated by the section 151 officer.

6. Any other Implications/Risks

The review of the Constitution supports the Annual Governance Statement and Code of Corporate Governance.

Appendix 1 draws attention to any other risks and implications with regards to the identified key issues.

7. Equal Opportunity Considerations

None

8. Environmental Considerations

None

11. Background Papers

None.

LIST OF KEY ISSUES WITHIN CONSTITUTIONAL REVIEW DOCUMENTS

No	Location	Issue	Comments
1	Section 6 of the Council Procedure Rules	Introduction of a 'Budget Meeting' that is treated differently to an Ordinary Meeting – no Notices of Motion, Cabinet Member questions etc – just consideration of the budget items	<p>This is a practice adopted by many Councils including Norfolk County Council</p> <p>This provision has been added following feedback from Chief Finance Officer:</p> <p><i>6.2.10.4 Any other document identified by the Chief Finance Officer as requiring approval as part of the budget setting process.</i></p>
2	Section 6.7.1 of the Council Procedure Rules	Introduction of a process for submission, approval and publication of proposed amendments before the Budget Meeting	<p>Enables Members to be fully informed before the Budget Meeting of all the costed options for the Budget Meeting to support informed decision making but necessitates a departure of normal practice of amendments being moved from the floor.</p> <p>Should there be a set number of individual amendments that may be moved per Group/non-aligned Member or the ability to move an 'alternative budget'</p> <p>Feedback from the Chief Finance Officer is that if Members resolve to permit an 'alternative budget' from each opposition Group and non-aligned Member then these would need to be submitted far earlier than 4 working days before the Budget Meeting – suggestion is after the Cabinet meeting which recommends the proposed Budget to FC. There will also be a resource implication which is being estimated.</p>
3	Section 7.9-7.11 of the Council Procedure Rules	New process for Notices of Motion	The current drafting of 7.11 means that the two largest opposition

			Political Groups could technically block out any other Motions whereas if the Motions do roll to the next meeting then any other motions from other Groups or non-aligned Members would come first in the agenda
4	Section 20.6 and 20.7 of the Council Procedure Rules	Change of process for putting questions by members of the public	Is it digital exclusion to not provide hardcopies of the public questions at the meeting Should members of the public be permitted to ask questions over Zoom
5	Substantive change schedule - number 2	What should be the position on Standing Order 34's speaking at Planning Committee: <ul style="list-style-type: none"> - All Members have the right to exercise if they choose - Only the Ward Member can speak on each item OR - Ward Member plus another person(s) the Chair determines AND Should there still be two hours notice to attend under Standing Order 34 – shorter/longer and notice to the Chair as well as Democratic Services	
6	Substantive change schedule - number 1	Changing Planning Committee, Licensing Committee and Licensing and Appeal Board Member numbers to 15, 13 and 13 respectively	Planning Committee would lose 1 Member each from Independent Partnership, Conservatives and Labour
7	Substantive change schedule - number 4	Amending Standing Order 23 so that approval of job descriptions for Chief Officers becomes	Full Council will instead be asked to approve salary packages for any new appointments to Chief Officers of over £100,000. This provides

		operational, not a Full Council function	transparency and accountability for payment of Chief Officers and reserves that function to Full Council, whilst moving the far more operational function of approval of a Job Description to officers.
--	--	--	---

Council Procedure Rules

Contents [*to be hyperlinked and page numbers added when published*]

1. Interpretation
2. Full Council Meetings and Quorum
3. Annual Meeting
4. Ordinary Meetings
5. Extraordinary meetings
6. Budget Meeting
7. Notice of Motion
8. Questions to Cabinet Members
9. Questions to Chairs of Council Bodies
10. Motions Without Notice
11. Procedural Closure Motions
12. Urgent Motions
13. Rules of Debate
14. Points of Order
15. Points of Personal Explanation
16. Voting
17. Rescinding a Previous Resolution
18. Duration of Full Council Meetings
19. Disorderly Conduct
20. Public Question Time at Ordinary Meetings
21. Petitions at Ordinary Meetings

1. Interpretation

- 1.1 These Council Procedure Rules are to be read in conjunction with the remainder of the Constitution. In the event of any inconsistency between the Council Procedure Rules and the remainder of the Constitution, the Council Procedure Rules take precedence.
- 1.2 The purpose of these Council Procedure Rules is to set out in one location the procedure rules that apply to meetings of the Full Council.
- 1.3 Definitions shall have the meaning set out within these Council Procedure Rules or in Standing Orders.
- 1.4 The ruling of the Chair as to the construction or application of these Council Procedure Rules or as to any proceedings of any meeting of the Council, will be final for the purposes of the meeting at which it is given.

2. Types of meetings of the Full Council

- 2.1 There are four types of Full Council meetings:
 - 2.1.1 Annual Meeting (usually held in May)
 - 2.1.2 Ordinary Meetings (6 each year)
 - 2.1.3 Extraordinary Meetings (whenever called)
 - 2.1.4 Budget Meeting (usually in February)
- 2.2 The four types of meeting set out above shall be collectively referred to as Full Council Meetings.
- 2.3 All Members are entitled to attend Full Council Meetings.
- 2.4 A Full Council Meeting shall be held at the location specified in the published agenda for the Full Council Meeting.
- 2.5 The quorum of all Full Council Meetings will be one quarter of the 55 Members rounded up, equating to 14 Members.

3. Annual Meeting

Timing and business

- 3.1 In a year when there is an ordinary election of Members, the Annual Meeting will take place within 21 days of the retirement of the outgoing Members (retirement happening on the on the fourth day after the ordinary day of election, including Saturday, Sunday and any bank holidays).
- 3.2 In any other year, the Annual Meeting will take place in May.

3.3 The order of business for the Annual Meeting shall be:

- 3.3.1 elect a Person Presiding if the outgoing Mayor or Deputy Mayor is not present
- 3.3.2 prayers, declarations of interest and Mayor's communications and announcements
- 3.3.3 the election of the Mayor and the Deputy Mayor, who shall be respectively Chair and Vice Chair of the Council
- 3.3.4 conveying the Council's thanks and appreciation of the work carried out by the retiring Mayor and Deputy Mayor and their consorts
- 3.3.5 (where required in accordance with Article 7.08) receiving the resignation of the Chair of Cabinet and Leader of the Council OR receiving a report on the disqualification of the Chair of Cabinet and Leader of the Council as a Member of the Council OR considering a resolution to remove the Chair of Cabinet and Leader of the Council
- 3.3.6 (where required in accordance with Article 7.06 or 7.07) appointing the Chair of the Cabinet and Leader of the Council for a four year period or such period between the Annual Meeting and the next post-election Annual Meeting
- 3.3.7 (where 3.3.6 is on the agenda) noting the Members appointed to Cabinet by the Chair of Cabinet
- 3.3.8 agree the proportional allocation of seats to Council Bodies (other than Cabinet)
- 3.3.9 appoint Members to Council Bodies (other than the Cabinet)
- 3.3.10 appoint the Chairs and Vice Chairs of other Council Bodies save for Committees/Panels that appoint their own Vice-Chairs under Standing Order 29
- 3.3.11 make appointments to non-executive Outside Bodies (this item may be deferred to the following Ordinary Meeting either with or without the previous appointments continuing until the next Ordinary meeting)
- 3.3.12 considering such other Urgent Motion or urgent business as the Chief Executive has to report.

3.4 The order of business under Rule 3.3 may be varied by way of a resolution passed under Rule 10 (Motions Without Notice).

Procedure at Annual Meetings

3.5 The outgoing Mayor, Deputy Mayor or appointed Person Presiding shall chair the Annual Meeting up to and including the agenda item at 3.3.3 above whereupon

the newly appointed Mayor or in their absence, the Deputy Mayor, shall chair the Annual Meeting.

- 3.6 The Proposer and Secunder of the election of a Mayor and Deputy Mayor may respectively speak for up to 5 minutes in support of their nomination. There shall be no other speakers and the item shall move to the vote.
- 3.7 The Leader of the Council or their nominee shall propose a conveyance of thanks and appreciation of the work carried out by the retiring Mayor and Deputy Mayor and their consorts.
- 3.8 In respect of all other nominations made at the Annual Meeting, the Proposer and Secunder shall not speak to their nomination. Once all nominations with a Secunder have been received, the item shall move to a vote.
- 3.9 In the exceptional case there is a debate item at the Annual Meeting, the Rules of Debate at Council Procedure Rule 13 shall apply.

4. Ordinary Meetings

Timing and business

- 4.1 There will be 6 Ordinary Meetings in a Municipal Year.
- 4.2 The order of business for the Ordinary Meeting shall be:
 - 4.2.1 elect a Person Presiding if the Mayor and/or Deputy Mayor are not present;
 - 4.2.2 prayers;
 - 4.2.3 to approve the minutes of the preceding Full Council Meeting(s);
 - 4.2.4 declarations of interest;
 - 4.2.5 any formal announcement or communications written or received by the Mayor;
 - 4.2.6 Urgent Motions as defined by Rule 12
 - 4.2.7 any business expressly required by statute to be done;
 - 4.2.8 any business that remains from the previous meeting;
 - 4.2.9 questions and petitions submitted by members of the public under Rules 20 and 21;
 - 4.2.10 reports and recommendations from Council Bodies (including business referred to the Council under the "call-in" procedures of Standing Order 12)

4.2.11 any other matters considered by the Chief Executive in consultation with the Mayor needing immediate consideration

4.2.12 Notice of Motions made in accordance with Rule 7

4.2.13 Questions to Cabinet Members under Rule 8

4.2.14 Questions to Chairs of Council Bodies under Rule 9.

4.3 The order of business under Rule 4.2 may be varied by way of a resolution passed under Rule 10 (Motions Without Notice).

Procedure at Ordinary Meetings

4.4 The Mayor shall chair the Ordinary Meeting if they are present at the Ordinary Meeting.

4.5 If the Mayor is absent from the Ordinary Meeting, the Deputy Mayor shall chair the Ordinary Meeting.

4.6 If it is necessary to choose a Member of the Council as the Person Presiding in the absence of the Mayor and Deputy Mayor, the Chief Executive shall call for nominations for a Member of the Council, who is not a member of the Cabinet, to be appointed as the Person Presiding.

4.7 The Rules of Debate at Council Procedure Rule 13 below shall apply to debate items.

4.8 Any nominations to positions shall be moved by the Proposer and Secunder without speaking to their nomination. Once all nominations with a Secunder have been received, the item shall move to a vote.

5. Extraordinary Meetings

Timing and business

5.1 Extraordinary Meetings can only be called as follows:

5.1.1 by resolution of the Full Council;

5.1.2 the Mayor; or

5.1.3 any five Members of the Council if they have signed a requisition presented to the Mayor (or Deputy Mayor in the Mayor's absence or the Chief Executive in the Mayor and Deputy Mayor's absence) and they have refused to call an Extraordinary Meeting or have failed to call an Extraordinary Meeting within seven days of the presentation of the requisition.

- 5.2 The date, time and place of any Extraordinary Meeting will be determined by the Chief Executive, but will in any event be held within 21 days of the Extraordinary Meeting being called.
- 5.3 The order of business for the Extraordinary Meeting shall be:
- 5.3.1 elect a Person Presiding if the Mayor and/or Deputy Mayor are not present
 - 5.3.2 prayers
 - 5.3.3 declarations of interest
 - 5.3.4 Urgent Motions as defined by Rule 12
 - 5.3.5 any business expressly required by statute to be done
 - 5.3.6 the extraordinary business set out in the agenda.

Procedure at Extraordinary Meetings

- 5.4 The Mayor shall chair the Extraordinary Meeting if they are present at the Extraordinary Meeting.
- 5.5 If the Mayor is absent from the Extraordinary Meeting, the Deputy Mayor shall chair the Extraordinary Meeting.
- 5.6 If it is necessary to choose a Member of the Council as the Person Presiding in the absence of the Mayor and Deputy Mayor, the Chief Executive shall call for nominations for a Member of the Council, who is not a member of the Cabinet, to be appointed as the Person Presiding.
- 5.7 The Rules of Debate at Council Procedure Rule 13 shall apply.
- 5.8 Any nominations to positions shall be moved by the Proposer and Secunder without speaking to their nomination. Once all nominations with a Secunder have been received, the item shall move to a vote.

6. Budget Meeting

Timing and business

- 6.1 Budget Meetings shall be held in February of each year. Only in exceptional circumstances where Full Council has failed to set the Budget in February can a Budget Meeting be held later than February.
- 6.2 The order of business for the Budget Meeting shall be:
- 6.2.1 elect a Person Presiding if the Mayor and/or Deputy Mayor are not present;
 - 6.2.2 prayers;

- 6.2.3 declarations of interest;
- 6.2.4 any formal announcement or communications written or received by the Mayor;
- 6.2.5 Urgent Motions as defined by Rule 12;
- 6.2.6 any business expressly required by statute to be done;
- 6.2.7 any other matters considered by the Chief Executive in consultation with the Mayor needing immediate consideration
- 6.2.8 questions submitted by members of the public under Rule 20 only insofar as they relate to the Budget or Associated Budget Items below;
- 6.2.9 setting of the Budget: Financial Plan and Council Tax Resolution, referred to as the "Budget";
- 6.2.10 consideration of the following items which are collectively referred to as the "Associated Budget Items":
 - 6.2.10.1 Capital Strategy;
 - 6.2.10.2 Treasury Management Strategy;
 - 6.2.10.3 Capital Programme; and
 - 6.2.10.4 Any other document identified by the Chief Finance Officer as requiring approval as part of the budget setting process.

Procedure at Budget Meetings

- 6.3 The Mayor shall chair the Budget Meeting if they are present at the Budget Meeting.
- 6.4 If the Mayor is absent from the Budget Meeting, the Deputy Mayor shall chair the Budget Meeting if they are present at the Budget Meeting.
- 6.5 If it is necessary to choose a Member of the Council as the Person Presiding in the absence of the Mayor and Deputy Mayor, the Chief Executive shall call for nominations for a Member of the Council, who is not a member of the Cabinet, to be appointed as the Person Presiding.
- 6.6 Any nominations to positions shall be moved by the Proposer and Secunder without speaking to their nomination. Once all nominations with a Secunder have been received, the item shall move to a vote.
- 6.7 The Rules of Debate at Rule 13 shall apply, as amended by this Rule 6:
 - 6.7.1 Amendments to the Budget or Associated Budget Items:
 - 6.7.1.1 any Leader of a Political Group or in their absence their deputy may move up to [number] amendments [ALTERNATIVE: move an alternative budget] each to the Budget or Associated Budget items in

accordance with this Rule 6. Members in a Political Group cannot move amendments individually;

6.7.1.2 any non-aligned Member may move up to [number] amendments [ALTERNATIVE: move an alternative budget] each to the Budget or Associated Budget Items in accordance with this Rule 6;

6.7.1.3 a Leader of a Political Group, their deputy or a non-aligned Member wishing to move an amendment to the Budget or Associated Budget Items must submit their proposed amendment(s) in writing to the Council's Chief Finance Officer no later than four clear working days before the Budget Meeting;

6.7.1.4 the proposed amendments will be shared with all Leaders of Political Groups [ALTERNATIVE: all Members], the relevant Portfolio Holder, the Chief Executive, the Monitoring Officer and all other relevant Chief Officers;

6.7.1.5 the Chief Finance Officer and Monitoring Officer will assess the proposed amendments to ensure that each complies with the following criteria:

- a. the amendment(s) individually and cumulatively would deliver a balanced budget;
- b. be within the Council's powers; and
- c. not trigger any legal requirement for consultation.

6.7.1.6 the Chief Finance Officer and Monitoring Officer or their nominated deputies will jointly confirm to each relevant Group Leader and non-aligned Member no later than two working days before the Budget Meeting whether the criteria at Rule 6.7.1.5 has been complied with in relation to each proposed amendment;

6.7.1.7 where 6.7.1.5 has been complied with, the approved amendments shall be published on the Council's website with the Budget Meeting agenda;

6.7.1.8 where 6.7.1.5 has not been complied then the amendment cannot be moved at the Budget Meeting save that where the non-compliance can be rectified by way of a non-material alteration to the proposed amendment identified by the Chief Finance Officer or the Monitoring Officer, the relevant Leader of a Political Group or non-aligned Member may request their proposed amendment be altered to render the proposed amendments compliant. Such request must be made at least one working day before the Budget Meeting and Rule 6.7.1.7 must then be complied with;

6.7.1.9 no amendments from the floor at the Budget Meeting may be moved unless they have been approved in accordance with this Council

Procedure Rule it is with the written consent of the Chief Finance Officer and serves to:

- a. correct an error(s) in the Budget or Associated Budget Items;
or
- b. address developments that have arisen since the Budget and Associated Budget Items were published with the agenda for the Budget Meeting.

6.7.2 Speaking on the Budget:

- 6.7.2.1 the Leader of the Council or their nominated representative shall propose the Budget. The Proposer of the Budget may speak for up to 15 minutes. Any time not used may be allocated to their Secunder;
- 6.7.2.2 the Secunder of the Budget may speak for up to 5 minutes plus any of remaining time allocated by the mover of the Budget under 6.7.2.1 above;
- 6.7.2.3 the Leaders of the opposition Political Groups shall then be invited by the Mayor to speak in turn, in the order of their respective Political Group size in descending order. Each Leader of an opposition Political Group may speak for up to 10 minutes;
- 6.7.2.4 After being invited to speak, but before commencing speaking on the Budget, if that Leader of an opposition Political Group has one or more approved amendments that have been published in accordance with Rule 6.7.1 above, they shall move the amendment or where there is more than one amendment, **they may be moved individually or en bloc;**
- 6.7.2.5 Once each Leader of an opposition Political Group has proposed any approved amendment with a Secunder and a vote has been taken, the Leader of the opposition Political Group shall speak to the substantive Budget item (as amended, where amendments are passed);
- 6.7.2.6 Once all Group Leaders have spoken, the non-aligned Members who have approved amendments that have been published in accordance with Rule 6.7.1 above will be invited by the Mayor to proposed their amendments, whereupon they may move the amendment or where there is more than one amendment, **they may be moved individually or en bloc;**
- 6.7.2.7 Once all amendments have been moved, seconded and voted on, the Budget item is open for debate to the remainder of the Members.

Agenda Papers:

- 6.7.2.8 The full set of papers for the Budget and Associated Budget items shall be published with the agenda for the Budget Meeting.

Votes:

- 6.7.2.9 Any vote (including procedural and on amendments) relating to the Budget item must be undertaken by a recorded vote in accordance with Rule 16
- 6.7.2.10 Section 106 of the Local Government Finance Act 1992 bars a Member from voting on the Budget item if they have an outstanding council tax debt of over two months. If section 106 applies to any Member present at the Budget Meeting, the Member must declare under the declaration of interest item that section 106 applies to them. Failure to comply with this requirement is a criminal offence and a Code of Conduct matter.

7. Notice of Motion

Scope

- 7.1 A Member may propose a motion on notice for debate by Full Council at an Ordinary Meeting provided it is relevant to some matter in relation to which this Council has powers or duties or which affects the Borough (Notice of Motion).
- 7.2 Members are encouraged to consider whether there is an alternative to submitting a Notice of Motion which will achieve the same outcomes prior to doing so, which may include:
 - 7.2.1 referring the matter to Policy Review and Development Panel for consideration;
 - 7.2.2 requesting the matter be put on the forward work programme for a relevant Council Body; or
 - 7.2.3 request that the relevant Portfolio Holder explore the issue and report back to the requesting Member.

Notice requirements

- 7.3 A Member who wishes to propose a Notice of Motion must provide such notice of their proposed motion in accordance with this Rule 7.3. The notice shall:-
 - 7.3.1 be in writing and limited to no more than 250 words
 - 7.3.2 state the motion that the Member desires to move in such a way that it is clear what the Member is proposing
 - 7.3.3 be delivered to the Chief Executive at least seven clear working days before the date of the meeting of the Council at which it is proposed to debate the motion

- 7.3.4 state the date of the meeting at which Council is to be invited to debate the motion if it is not the next Ordinary Meeting for which it is eligible
- 7.3.5 not contravene Rule 7.4 below.
- 7.4 A proposed motion will be rejected if in the view of the Monitoring Officer or their deputy, in consultation with the Mayor or Deputy Mayor, the proposed motion:
- 7.4.1 makes a proposal which would be unlawful, defamatory or frivolous
- 7.4.2 does not comply with Rule 7.1
- 7.4.3 is substantially the same as a motion which has been put at a Full Council Meeting in the past six months; or
- 7.4.4 requires the disclosure of confidential or exempt information.
- 7.5 Upon the Chief Executive (or Monitoring Officer in the Chief Executive's absence) being satisfied that the proposed motion complies with Rules 7.3, the full text shall be entered as a Notice of Motion in a register of motions, which shall be open to inspection by any Member of the Council or the public. Motions shall be entered in the register in the order in which they are received by the Chief Executive.
- 7.6 A Notice of Motion will be shared with all Leaders of Political Groups, the relevant Portfolio Holder and all relevant Chief Officers.
- 7.7 The Chief Executive shall advise a Member who has submitted a proposed motion that does not comply with this Rule, in what way it fails to do so.
- At the Ordinary Meeting
- 7.8 A Member may alter their own Notice of Motion with the consent of the Full Council Meeting. If the alteration is after the seconding of the Motion, then the Seconder must first consent to the alteration. Thereafter the Full Council Meeting's consent will be sought and signified without debate.
- 7.9 There will be a maximum time limit of 30 minutes allocated per Notice of Motion with a total of 60 minutes allocated in total for the Notices of Motion item on the agenda. The Mayor may agree to extend this time.
- 7.10 Notices of Motion will be listed on the agenda in the order of one per Political Group and non-aligned Member (starting with the largest opposition Political Group and descending to non-aligned Members and ending with the administration Group last, then repeating). Leaders of Political Groups are to confirm the order in which Notices of Motion submitted by Members of their Political Group are to be taken. [ALTERNATIVE: *keep chronological order they are received*]
- 7.11 Any Notices of Motion that are not moved and/or concluded by the end of the 60 minutes shall not be treated as 'any business that remains from the previous meeting' under Rule 4.2.8. Notices of Motion that have not been concluded will need to be re-submitted by the Proposer for the next Ordinary Meeting if they still wish the Motion to be considered.

- 7.12 After a formal seconding, and before the debate of any Notice of Motion, the Leader of the Council may propose and the Full Council shall, following debate, decide whether the Notice of Motion notified under this Rule will be:
- a) debated by Full Council at a later date;
 - b) referred to a specified Council Body for consideration and referred back to Full Council for determination; or
 - c) referred to a specified Council Body for determination.
- 7.13 If a Notice of Motion is referred to a Council Body under Rule 7.12, the Proposer of the Notice of Motion shall be permitted to speak in support of the Notice for Motion at the Meeting of the Council Body at which it is debated. If they are a Member of that Council Body the proposer must consider whether they should vote on the item with reference to the Councillor's Code of Conduct.
- 7.14 If a Notice of Motion is referred to a Council Body under Rule 7.12 (b), notwithstanding that Council Body being empowered by the Constitution to make a decision, it will in any event return the matter to Full Council for determination.
- 7.15 If the Proposer of the Notice of Motion is not present at the Ordinary Meeting at which the Notice of Motion appears in the agenda, the Notice of Motion shall be deemed withdrawn.
- 7.16 The Proposer of the Notice of Motion may withdraw the Motion with the permission of the Mayor at the Ordinary Meeting at which the Notice of Motion appears. The request to withdraw be made shall be made when the Proposer of the Notice of Motion is invited to move their Notice of Motion and the minutes of the Ordinary Meeting shall record that the Notice of Motion was withdrawn.

8 Questions to Cabinet Members

- 8.1 Every Member of the Cabinet shall submit a report to each Ordinary Meeting of the Council on matters of interest for which they have responsibility that have arisen since the last Ordinary Meeting of the Council.
- 8.2 At the Ordinary Meeting, the Leader of the Council shall move all Cabinet Member reports en bloc and if notified, the Mayor will invite any Cabinet Member to speak who has an update for Full Council on their report since the agenda was published or who requires to correct an error in their report.
- 8.3 A Member of the Council may then, without first giving notice, ask up to a total of four questions of Cabinet Members.
- 8.4 The Member asking the question may indicate to whom they wish to ask their question, however the question will be answered by the Cabinet Member identified to the Mayor by the Leader of the Council (or the Deputy Leader in their absence) as the appropriate responder to the question. If the identified Cabinet Member is not present then it shall be answered in accordance with Rule 8.12.
- 8.5 Questions under Rule 8.3 above must be directly related to:

- 8.5.1 any report submitted to the Council under Rule 8.1;
- 8.5.2 any other matter within the remit of a Portfolio Holder of the Cabinet Member.
- 8.6 The period of time for putting questions and receiving responses under this Rule shall not exceed 60 minutes.
- 8.7 No single question and its response shall exceed a period of 5 minutes.
- 8.8 **There shall be no right to a supplementary question.**
- 8.9 Questions cannot be asked that would necessitate revealing exempt or confidential information.
- 8.10 The order of putting questions shall commence with a Member from the largest opposition Political Group, proceeding in descending order to the smallest opposition Political Group, followed by a non-aligned Member and finally a Member from the administration Political Group. This order shall repeat until the time for questions has elapsed or there are no more questions to be put.
- 8.11 The Mayor may disallow, re-direct or postpone any question asked under this Rule.
- 8.12 A Cabinet Member who is asked a question under this Rule may decline to answer it and instead make a written answer which shall be provided to every Member within 7 days of the Ordinary Meeting and included as an attachment to the minutes of the Ordinary Meeting.
- 8.13 Every question arising under Rule 8 shall be asked and answered without debate.
- 8.14 **If this item on the Ordinary Meeting agenda is not complete by the end of the Ordinary Meeting, it shall be deemed as complete on the closing of the Ordinary Meeting. It shall not carry over to the next Ordinary Meeting.**

9 Questions to Chairs of Council Bodies

- 9.1 A Member of the Council may, without first giving notice, ask up to a total of two questions of the Chair of any Council Body or Informal Working Group, excluding Cabinet, about the work of that Council Body or Informal Working Group. The number of questions that can be asked per Member is two in total; not two per Chair.
- 9.2 Questions cannot be asked that would necessitate revealing exempt or confidential information.
- 9.3 The period of time for putting questions and receiving responses under this Rule shall not exceed 20 minutes.

- 9.4 No single question and its response shall exceed a period of 5 minutes.
- 9.5 Every question arising under Rule 9 shall be asked and answered without debate.
- 9.6 **There shall be no right to a supplementary question.**
- 9.7 **If this item on the Ordinary Meeting agenda has not commenced or completed immediately before the end of the Ordinary Meeting, it shall be deemed commenced and complete on the closing of the Ordinary Meeting. It shall not carry over to the next Ordinary Meeting.**

10 Motions Without Notice

- 10.1 Motions may be moved without notice provided that they relate to:
- 10.1.1 the appointment of a Person Presiding if neither the Mayor or Deputy Mayor are present
 - 10.1.2 the accuracy of a minute
 - 10.1.3 the order of item(s) of business
 - 10.1.4 the referral of any matter to an appropriate Council Body for consideration and/or determination, including under Rule 7.12
 - 10.1.5 the appointment of Members to position(s) that arises from any item of business on the agenda
 - 10.1.6 the amendment of a motion
 - 10.1.7 permission to withdraw or alter a motion or amendment by the Proposer
 - 10.1.8 permission to extend the length of a speech
 - 10.1.9 a Procedural Closure Motion under Rule 11
 - 10.1.10 an Urgent Motion
 - 10.1.11 a motion to suspend any Standing Orders under Standing Order 2
 - 10.1.12 a motion to exclude the press and public under section 100A and Schedule 12A of the Local Government Act 1972
 - 10.1.13 a motion proposing that a Member, who is named for disorderly conduct under Rule 19 be not further heard or do leave the Full Council Meeting.
 - 10.1.14 a motion that authorises the exercise of any statutory duty or power which in the opinion of the Full Council ought to be exercised as a matter of urgency
 - 10.1.15 that the Meeting continues beyond three hours in duration under Rule 18

10.1.16 a motion to obtain any consent of the Council that may be required under these Rules.

10.2 The motions moved under Rule 10.1 shall be proposed, seconded and voted on without debate, save where otherwise indicated in these Rules and with the exception of Rules 10.1.4, 10.1.6, 10.1.10, 10.1.11 and 10.1.14, which shall be subject to the usual Rules of Debate.

11 Procedural Closure Motions

11.1 The following Procedural Closure Motions may be moved during a debate in order to close the debate:

11.1.1 a motion “that the question now be put”, which, if passed, will curtail the debate and cause a vote to be held on the motion or amendment under consideration

A motion “that the question now be put” may only be moved by a Member who has not spoken previously on the item of business that would be affected. *[Alternatively the motion may be moved by the Mayor.]*

If such a motion is passed, before any “question” is put to the vote as a consequence, the Mayor shall invite the Member whose substantive motion would be affected to reply to the debate on the Substantive Motion before their motion is put to the vote. If the Secunder reserved their right to speak, they will lose the right to speak.

11.1.2 a motion “that the Council proceed to next business”, which, if passed, will cause the Full Council Meeting to proceed to the next item of business without completing the item under debate

A motion “that the Council proceeds to next business” may only be moved by a Member who has not spoken previously on the item of business that would be affected. Before this Procedural Motion is put the vote, the Mayor shall invite only the Member whose motion or amendment would be left undecided to speak on the Procedural Closure Motion.

11.1.3 a motion to “adjourn the debate”, which, if passed, postpones further debate on the motion under consideration to a later date

11.1.4 a motion “that the meeting be adjourned”, which, if passed, will result in the Meeting being adjourned to a time later the same day (no more than two hours later than the time of the adjournment) or on another date. Any matter that is being debated but has not been voted on when this motion is passed, plus any other remaining business, will be considered when the Meeting is reconvened.

11.2 Any of the Procedural Motions may be disallowed by the Mayor if they consider the motion to have been moved prematurely so that, if passed, it would operate to curtail proper debate.

12 Urgent Motions

- 12.1 Items of business may be considered at a Full Council Meeting notwithstanding that five clear days' notice of that business has not been given if in the opinion of the Mayor, special circumstances exist which require that the item should be considered as a matter of urgency. The urgent item of business must have been added to the agenda as soon as reasonably practicable with the agreement of the Mayor, and the Full Council Meeting when convened must, without debate, consent.
- 12.2 Whenever business is transacted in accordance with Rule 12.1, the Mayor shall be required to specify the special circumstances that require the item to be considered as a matter of urgency, and those matters shall be recorded in full in the minutes of the Full Council Meeting.

13 Rules of Debate

Moving a Motion

- 13.1 In these Rules, "the Substantive Motion" means any motion under debate that appears on the agenda or arises from it. Where the motion contains more than one recommendation, all recommendations are to be moved en bloc as one motion unless specified otherwise on the agenda.
- 13.2 The debate of a motion shall begin by the Substantive Motion being proposed. The Proposer of the motion has up to 5 minutes to propose the motion.
- 13.3 After the Proposer has proposed the Substantive Motion, it must be seconded. The Secunder may speak on the motion for up to 5 minutes when they second it or reserve their right to speak later in the debate.

Debating a Motion

- 13.4 Once the Substantive Motion has been proposed and seconded, it is open for debate and amendment. No Substantive Motion shall be debated or amended unless and until it has been proposed and seconded.
- 13.5 A Member of Full Council (other than the Proposer and Secunder, where the latter exercises their right to speak when seconding) may speak once for up to 5 minutes on the Substantive Motion.
- 13.6 A Member who wishes to speak on the Substantive Motion shall indicate so by raising their hand for the attention of the Mayor and/or Deputy Mayor where appropriate. The Mayor has full discretion on who to call to speak and in which order.
- 13.7 Members shall speak to the Substantive Motion only. The debate is not a question and answer session.
- 13.8 The Mayor may call the attention of the Full Council to continued irrelevance, tedious repetition and may disallow, re-direct or postpone consideration of any matter raised during the debate.

- 13.9 Subject to a Procedural Closure Motion having been passed, once all those Members wishing to speak have spoken, the Mayor will confirm with the Secunder whether they wish to exercise their right to speak where they have not already done so. The Secunder may speak for up to 5 minutes.
- 13.10 The Mayor shall then invite the Proposer to exercise a right of reply (sum up). The Proposer can speak for up to 5 minutes.
- 13.11 The Substantive Motion then proceeds to the Vote.

Amendments to Motions

Moving an Amendment

- 13.12 Any Member who wishes to propose an amendment to a Substantive Motion which has already been seconded shall make this known to the Mayor. The Mayor will invite the Member to state the exact wording of their proposed amendment.
- 13.13 An amendment to a Substantive Motion shall:
- 13.13.1 not introduce a new issue
 - 13.13.2 be limited to omitting words from, adding words to or substituting words in the Substantive Motion;
 - 13.13.3 shall not have the effect of negating the substantive motion.
- 13.14 If the Monitoring Officer or their nominated substitute is satisfied that the wording of the proposed amendment complies with Rule 13.13, this will be indicated to the Mayor. If the Monitoring Officer or their nominated substitute is not satisfied the wording complies with Rule 13.13, the Mayor may disallow the amendment and the debate shall return to the Substantive Motion.
- 13.15 If the amendment is compliant with Rule 13.13, the Mayor will invite the Proposer of the amendment to propose and speak on the amendment. The Proposer of the amendment may speak for up to 5 minutes.
- 13.16 The amendment must be seconded. The Secunder may speak on the amendment for up to 5 minutes when they second it or reserve their right to speak later in the debate.
- 13.17 The Proposer and Secunder of the amendment cannot be the Proposer or Secunder of the Substantive Motion. The Proposer of a Substantive Motion may propose to alter the Substantive Motion under Rule 10.1.7.

Accepting the Amendment

- 13.18 Once the amendment has been proposed and seconded, the Proposer and Secunder of the Substantive Motion will be asked by the Mayor whether they agree to accepting the amendment. This is not an opportunity for the Proposer and Secunder of the Substantive Motion to speak on the proposed amendment. They shall indicate either 'yes' or 'no' to the Mayor.

- 13.19 If the Proposer and Secunder both accept the amendment, then the Substantive Motion is duly amended without the need to debate or vote on the amendment. The debate then returns to the Substantive Motion (as amended).
- 13.20 If the Proposer and Secunder do not both accept the amendment, then the amendment is open for debate.

Debating the Amendment

- 13.21 The Proposer of the Substantive Motion does not have the right to speak on the amendment. They will have the right of reply at the end of the debate on the amendment. The Proposer of the amendment will not have a right of reply or right to sum up at the end of the debate on their amendment.
- 13.22 A Member who wishes to speak on the amendment shall indicate so by raising their hand for the attention of the Mayor and/or Deputy Mayor where appropriate. The Mayor has full discretion on who to call to speak and in which order.
- 13.23 Members must speak to the amendment; not the Substantive Motion.
- 13.24 No amendment to an amendment may be moved. The Mayor shall not permit a further amendment to be moved or debated until a preceding amendment has been dealt with.
- 13.25 The Mayor may call the attention of the Council to continued irrelevance, tedious repetition and may disallow, re-direct or postpone consideration of any matter raised during the debate.
- 13.26 Subject to a Procedural Closure Motion having been passed, once all those Members wishing to speak on the amendment have spoken, the Mayor will confirm with the Secunder of the amendment whether they wish to exercise their right to speak where they have not already done so. The Secunder of the amendment may speak for up to 5 minutes.
- 13.27 The Mayor shall then invite the Proposer of the Substantive Motion to exercise a right of reply (sum up). The Proposer of the Substantive Motion can speak for 5 minutes.
- 13.28 The amendment then proceeds to the Vote.

Following the Vote on an Amendment

- 13.29 If an amendment is passed the debate returns to the Substantive Motion (as amended).
- 13.30 If the amendment is not passed the debate returns to the Substantive Motion.

Summary of who can Speak

- 13.31 A Proposer of a Substantive Motion may speak:

- 13.31.1 to propose the Substantive Motion for up to 5 minutes
 - 13.31.2 to exercise a right of reply at the close of the debate on the Substantive Motion for up to 5 minutes
 - 13.31.3 to exercise a right of reply at the close of any debate on any amendment to the Substantive Motion for up to 5 minutes
 - 13.31.4 to call for a Point of Order
 - 13.31.5 to call for a Point of Personal Explanation
 - 13.31.6 to move a Motion without Notice under Rule 10
- 13.32 A Member other than the Proposer of the Substantive Motion may speak:
- 13.32.1 to second and/or or speak on the Substantive Motion
 - 13.32.2 to speak on any amendment (including proposing or seconding an amendment)
 - 13.32.3 to call for a Point of Order
 - 13.32.4 to call for a Point of Personal Explanation
 - 13.32.5 to move a Motion without Notice under Rule 10

14 Points of Order

- 14.1 A Member may raise a Point of Order if they become aware of any breach of these Rules, the Council's Constitution or the law. The Point of Order must specify which Rule or provision in the Council's Constitution has been breached or the point of law that has arisen. The ruling of the Mayor on a Point of Order, or as to the conduct of the Meeting, shall not be challenged during that meeting.

15 Points of Personal Explanation

- 15.1 A Member may raise and pursue a point of personal explanation if, and only so far as, it is necessary to remedy any manifest misunderstanding by another speaker of any part of a statement they have made on the matter under debate.

16 Voting

- 16.1 Unless otherwise prescribed by statute, decisions will be made by a simple majority of those Members voting and present at the Full Council Meeting at the time the motion is proposed.
- 16.2 If there are equal numbers of votes for and against, the Mayor will have a second or casting vote. There will be no restriction on how the Mayor chooses to exercise a casting vote.

- 16.3 Unless a recorded vote or ballot is requested, the Mayor will take the vote by show of hands, or if there is no dissent, by the affirmation of the Full Council Meeting.
- 16.4 A Member of the Council, with the support of at least three other Members, may request to the Mayor immediately before a vote is taken that the vote be recorded to show whether each Member present voted for or against the item or abstained from voting (a recorded vote).
- 16.5 A ballot may be used where the item relates to the appointment of Members to positions and there is more than one position to be filled. The results of the ballot shall be included in the minutes of the Full Council Meeting as if it were a recorded vote.
- 16.6 Where a vote is required on a motion to appoint or elect to a position and there are more candidates than positions, and a ballot is not being used, then for each position the names of the candidates shall be read out to all Members present and Members will then be invited to indicate their chosen candidate by calling out the chosen candidate's name. The numbers of votes for each candidate shall be read out and the candidate(s) with the most votes shall be appointed.
- 16.7 Immediately after a vote on any matter, a Member may require that the way in which they voted on that matter is recorded in the minutes of the meeting.
- 16.8 At meetings of a Regulatory Council Body a Member shall not vote on an item unless they have been present at the commencement of the debate on that item and have remained present throughout the totality of the debate.

17 Rescinding a Previous Resolution

- 17.1 No motion to or which would have the effect to rescind or reverse a Resolution of the Full Council shall be considered by the Council, within a period of six months from the date of that Resolution, unless it is moved with the support in writing by at least seventeen Members of the Council.
- 17.2 The Resolutions covered by Rule 17.1 include decisions in respect of any Notice of Motion, or any amendment of a Notice of Motion (whether or not such motion or amendment was passed), as well as any other decision taken in exercise of the Council's functions.
- 17.3 Once a motion has been moved with the support required in Rule 17.1, no further motion shall be introduced by that means, in respect of substantially the same subject matter, for a period of six months from the day when the motion was moved.

18 Duration of Full Council Meetings

- 18.1 Unless the majority of Members present vote for the Full Council Meeting to continue, any Full Council Meeting that has lasted for 3 hours will adjourn immediately. Remaining business will be carried over to the next Ordinary Meeting.

- 18.2 The motion for voting to continue a Full Council Meeting above shall be for an extension of the duration of the Full Council Meeting for a period of one hour, unless the Mayor proposes a different period of time. Upon the expiry of this or any other extension, the Full Council Meeting shall adjourn immediately unless the majority of Members vote for a further extension of the Full Council Meeting. Any such motion to further extend the duration of the Full Council Meeting beyond the first extension shall be limited to no more than one hour, as determined by the Mayor.

19 Disorderly Conduct

Disorderly conduct by Members of the Council

- 19.1 A Member who persistently disregards the ruling of the Mayor, or who behaves irregularly, improperly, or offensively, or who wilfully obstructs the business of any such Full Council Meeting, shall be guilty of disorderly conduct.
- 19.2 If a motion under Council Procedure Rule 10.1.13 is put and passed at a Full Council Meeting, any Member who is so named shall not be heard further in any debate during the remainder of that Full Council Meeting.
- 19.3 If a Member does not comply with a motion that is passed under the Rule above, the Mayor shall:
- 19.3.1 if the motion was for the Member not to be further heard, move “that the Member do leave the meeting” and that motion shall be put and determined without being seconded and without debate;
 - 19.3.2 ask the Member to leave the Full Council Meeting room for the remainder of the Full Council Meeting; or
 - 19.3.3 adjourn the Meeting for such period as they think fit.
- 19.4 If a Member does not comply with any motion that is passed under the Rules above, or continues to disrupt a Full Council Meeting that reconvenes after a motion under the Rules above has been passed, the Mayor may order such action as is necessary to be taken to secure the removal of that Member from the Meeting and prevent their re-entry.
- 19.5 The Mayor shall report to the Standards Committee any motion that is passed under the Rules above and any action occurring under the Rules above.

Disorderly conduct in meetings by members of the public

- 19.6 No member of the public shall interrupt proceedings, behave in a disorderly manner or breach the Protocol relating to the Openness Regulations during a Full Council Meeting.

19.7 Any member of the public who interrupts a meeting behaves in a disorderly manner or breaches the Protocol relating to the Openness Regulations shall be warned by the Mayor to stop that behaviour and, if they do not, the Mayor may, without any motion being put or seconded or debated:

19.7.1 Adjourn the Full Council Meeting for as long as they consider necessary; and/or,

19.7.2 Order such action as is necessary to be taken to remove the offending person from the meeting and prevent their re-entry.

General disturbance of any meeting

19.8 The Mayor may adjourn a Full Council meeting, for as long as they consider necessary, without any motion being put or seconded and without debate if, in their opinion, the behaviour of persons who are present (whether Members of the Council or not) makes it impossible to carry on business in an orderly manner.

19.9 Where the Mayor invokes this Rule because of the conduct of any Member of the Council, they may report the matter to the Standards Committee

20 Public question time at Ordinary Meetings

Public Question Time

20.1 At each meeting of the Council, a period not exceeding thirty minutes shall be allowed for persons not being Members of the Full Council having an interest in the Borough to ask questions about:-

(a) the Council's policies; or

(b) the work of the Council in respect of any matter or issue affecting the Borough.

20.2 The Chief Executive shall not allow any questions that, in their opinion:

20.2.1 relate solely to the questioner or their family

20.2.2 contain any defamatory, confidential or exempt material or would require a response that might be defamatory or require the disclosure of confidential or exempt material

20.2.3 relate to specific applications for planning permission or for licences;

20.2.4 relate to individual Members or officers of the Council or an individual member of the public.

20.3 Members of the public who wish to ask questions under this Rule must submit them in writing to the Chief Executive before 5pm of the third day before the day of the meeting at which they are to be put or presented.

20.4 The receipt of questions under this Standing Order shall be recorded in a register in the order in which they are received and they will be presented to the Council in that order. The register shall be open to inspection by members of the public.

- 20.5 The Chief Executive shall confirm to each person whose question is entered into the register kept in accordance with paragraph 14.4 and confirm:
- (a) whether their question may be asked
 - (b) the date, time and place of the Meeting at which the question may be asked
 - (c) the procedure for asking their question and receiving an answer
 - (d) their position in a list of the persons whose questions have been accepted.
- 20.6 The questions that may be asked under this Rule shall not appear on the agenda of the meeting at which they are to be asked, but will be published on the Council's website with the agenda papers before the Ordinary Meeting.
- 20.7 The person who submits a question under this Rule shall normally ask it. However, the Mayor may allow that person to be accompanied by a friend and allow the friend to ask the question. The person who submits the question also has the option of asking their question remotely if they are able to connect to the Meeting and can be heard by the Meeting.
- 20.8 A question that is asked under this Rule shall be addressed to the Mayor and shall be answered by any Member of the Council nominated by them. An answer may take the form of:
- (a) a direct oral response; or
 - (b) in exceptional cases, where an oral reply cannot be given conveniently, by a written answer, which shall be given to the questioner within 7 days of the date of the meeting or such longer period as the Mayor may allow.
- In every case where an oral response is not given, the Mayor will state that an oral response would be inconvenient and the reasons for this, which will be minuted. A copy of the written answer shall be included as an attachment to the minutes of the Meeting.
- 20.9 Every questioner may ask a supplementary question once their first question has been answered but no exchange (including the time taken to ask and answer a supplementary question) shall be permitted to exceed a total of 5 minutes.
- 20.10 Any question that is accepted but cannot be asked at the meeting because of lack of time, shall be answered in writing by a Member or Officer of the Council within 7 days of the meeting. The person responsible for answering the question shall be announced by the Mayor at the end of each Public Question Time. A copy of the written answer shall be included as an attachment to the minutes of the Meeting
- 20.11 Every question shall be asked and answered without there being any debate of that matter by the Council.

21 Petitions at Ordinary Meetings

- 21.1 The Council will accept:

- 21.1.1 paper Petitions either sent or presented to it;
 - 21.1.2 online Petitions, using our petition tool on the Council's website;
 - 21.1.3 Petitions which are emailed to the Council, or created using other petition software, but only if the names, addresses and the email addresses of the people who have signed the Petition are attached.
- 21.2 In order to meet the requirements of the Council's Petition scheme, a petition must contain a minimum of 250 signatures.
- 21.3 The Council will not deal with Petitions that:
- 21.3.1 Include a matter which in the Chief Executive's opinion is vexatious, abusive or contains otherwise inappropriate comments e.g. containing swearing or other insults or anything that is false or potentially defamatory.
 - 21.3.2 Do not comply with data protection, libel, equalities and anti-discrimination legislation.
 - 21.3.3 Concern employment matters for Borough Council staff.
 - 21.3.4 For issues, such as planning and licensing decisions or council tax banding and nondomestic rates, there is already an established way for communities to have their say, so these are not included in the Petition scheme.
 - 21.3.5 Are substantially the same as a similar Petition considered by the Council in the preceding 12 months.
- 21.4 The Council reserves the right not to take action on:
- 21.4.1 Party political material.
 - 21.4.2 Information which may be protected by an injunction or court order.
 - 21.4.3 Material which is potentially confidential, commercially sensitive, or which may cause personal distress or loss.
 - 21.4.4 Any commercial endorsement, promotion of any product, service or publication.
 - 21.4.5 The names of individual officials of public bodies, unless they are part of the senior management of those organisations.
 - 21.4.6 The names of family members of elected representatives.
 - 21.4.7 The names of individuals, or information where they may be identified, in relation to criminal accusations.
 - 21.4.8 Language which is intemperate, provocative, racist, sexist, homophobic etc.
 - 21.4.9 Petitions that are similar to and/or overlap with an existing Petition or Petitions.
 - 21.4.10 Has previously been dealt with as a Petition within the last 12 months.
 - 21.4.11 Statements that don't actually request any action.
 - 21.4.12 Working that is impossible to understand.
 - 21.4.13 Statements that amount to advertisements.
 - 21.4.14 Petitions which are solely intended to be humorous.
 - 21.4.15 Issues for which Petition is not the appropriate channel (e.g. correspondence about a personal issue).

- 21.4.16 Freedom of Information or Environment Information requests or requests that may result in a breach of the Data Protection Act 2018.
- 21.4.17 During politically sensitive periods, such as just before an election, if it is considered that a Petition contains politically controversial material, the Council may decide not to accept a Petition, or defer its consideration until after the election. If this is the case, the Council will explain the reasons and the revised timescale which will apply.
- 21.5 Where a Petition contains more than 2,500 signatures, the person who presented the Petition or such other person as signatories to the Petition may nominate by agreement ('the Petition Organiser') may request that a relevant Chief Officer attends a meeting of an Overview and Scrutiny Committee relevant to the subject matter of the Petition to give evidence and answer questions. Panel members will ask the questions at the Meeting, but the Petition Organiser will be able to suggest questions to the Chair of the Panel by contacting the relevant Democratic Services Officer at least 2 working days before the Meeting.
- 21.6 Where a Petition presented to the Council contains more than 5,000 signatures, it will be debated by Full Council ('the Petition Debate'). The Petition Debate, which will last for a maximum of 30 minutes, will usually take place at the meeting when the Petition is first presented to Full Council, although on some occasions this may not be possible and the Petition Debate will then take place at the following meeting.
- 21.7 If a Petition is required to be debated by full Council under Standing Order 9.3.6 and the Petition Organiser wants to present their Petition to the meeting at which the Petition Debate will take place, or would like to nominate their Councillor or someone else to present it on their behalf, they should contact the Democratic Services Office at least 10 working days before the meeting to arrange this.
- 21.8 If the Petition Organiser wishes their Petition to be presented to the Petition Debate then, immediately before the Petition Debate, the Petition Organiser (or their nominee) shall be entitled to speak in support of the Petition, for up to 5 minutes. At the conclusion of the Petition Debate a decision will be made on how to respond to the Petition. This could be:
- 21.8.1 To take the action the Petition requests.
 - 21.8.2 Not to take the action requested for reasons put forward in the Petition Debate.
 - 21.8.3 To commission further investigation into the matter, for example by a relevant panel or committee.
 - 21.8.4 Where the issue is one on which the Cabinet is required to make the final decision, the Council will decide whether to make recommendations to inform that decision.
- 21.9 The Petition Organiser will receive written confirmation of this decision. This confirmation will also be published on the Council's website. (Scheme approved by Council 24 June 2010)

BRAND

CONSTITUTION INFORMAL WORKING GROUP

TABLE OF PROPOSED SUBSTANTIVE AMENDMENTS TO CONSTITUTION:

No.	Summary	Section of constitution	Proposed change	Why?
1	Reduce numbers of Members on the regulatory bodies	Standing Order 29	<p>Current wording:</p> <p>Planning Committee 18 Members (Politically Proportional) Licensing and Appeals Committee 15 Members (Politically Proportional) Licensing Committee 15 Members (Politically Proportional)</p> <p>Delete and Replace: Delete the numbers 18, 15 and 15 and replace with 15, 13 and 13</p>	No changes were made when Councillor numbers changed from 62 to 55 and the size of the Committees is proving onerous to fill with less overall Members
2	Bring Standing Order 34 in line with actual	Standing Order 34	<p>Current wording:</p> <p>34.1 Every Member of the Council shall have the right: (a) to attend any meeting of a Council body, including Task Groups and Informal Working</p>	To reflect the practice that Standing Order 34 Members are being allowed to speak at

No.	Summary	Section of constitution	Proposed change	Why?
	practice and recommended procedure		<p>Groups; and (b) to speak at any meeting of a Council body, including Task Groups and Informal Working Groups, except, for the purposes of this Standing Order, the Licensing Committee, the Licensing and Appeals Board and the Planning Committee, and subject to: (i) the expiry of any statutory time limits within which representations must be made in relation to the issue or issues under consideration; (ii) the provisions as to declarations of interest</p> <p>provided that they shall, inform Democratic Services no later than two hours before the meeting commences of their intention to attend and to speak, as appropriate, specifying on what items they wish to be heard.</p> <p>Replace with:</p> <p>34.1 Every Member of the Council shall have the right:</p>	<p>Planning Committee and this has become an established practice.</p> <p>And to include meetings/hearings that are quasi regulatory and require higher standards of fairness.</p>

No.	Summary	Section of constitution	Proposed change	Why?
			<p>(a) to attend any meeting of a Council Body plus Informal Working Groups; and</p> <p>(b) to speak at any Meeting of a Council Body plus Informal Working Groups, except, for the purposes of this Standing Order:</p> <p>i) the Licensing Committee, the Licensing and Appeals Board, Standards Committee Panel Hearings, Appointments Board Interviews and Investigatory and Disciplinary Committee Hearings</p> <p>ii) at Planning Committee only the Ward Member(s) for the relevant application can speak or in [ALTERNATIVES: <i>exceptional circumstances approved by/at the discretion of</i>] the Chair of the Planning Committee, [ALTERNATIVES: <i>one other Member OR other Members</i>]</p> <p>provided that they shall, inform Democratic Services [ALTERNATIVES: <i>no later than two hours/and the Chair</i>] before the Meeting commences of their intention to attend and to speak, as appropriate, specifying on what items they wish to be heard.</p>	

No.	Summary	Section of constitution	Proposed change	Why?
3	Inclusion of specific provisions covering the resignation and/or removal of the Leader during the 4 year term	Article 7	<p>Current Wording:</p> <p>Article 7 - The Cabinet Role 7.01 The Council's Executive body shall be known as the Cabinet and shall carry out all functions which are not the responsibility of any other part of the Council or are prohibited from being an Executive function at law.</p> <p>Composition 7.02 The Cabinet shall consist of not more than ten members including its Chair who is Leader of the Council. The Leader shall determine the number of other Councillors to be Cabinet Members and appoint them, one as Vice Chairman. The Leader shall hold office for up to a four year period, appointed at the first Annual Meeting following the Borough Council Elections until the Annual meeting immediately following those elections (Local Government and Public Interest in Health Act 2007), unless the Council</p>	Local Government Act 2000 requires a need for more specific content about the election and removal of the Leader

No.	Summary	Section of constitution	Proposed change	Why?
			<p>resolves to remove them from the position or until their resignation.</p> <p>Proceedings of the Cabinet 7.03 Subject to Article 13.04, the proceedings of the Cabinet shall be conducted in accordance with the Rules of Procedure set out in Part 4 of this Constitution relating to executive functions. <i>..... continued.</i></p> <p>Delete and Replace With:</p> <p>Article 7 - The Leader and Cabinet Role 7.01 The Council's executive body shall be known as the Cabinet and shall carry out all functions which are not the responsibility of any other part of the Council or are prohibited from being an Executive function at law.</p> <p>7.02 One Member of the Council shall be elected by the Full Council as its executive Leader and the Chair</p>	

No.	Summary	Section of constitution	Proposed change	Why?
			<p>of Cabinet.</p> <p>Composition</p> <p>7.03 The Cabinet shall consist of not more than ten members including its Chair who is Leader of the Council.</p> <p>7.04 The Leader appoints a Deputy Leader and up to eight other Cabinet Members.</p> <p>7.05 The Mayor and Deputy Mayor of the Council cannot be appointed to the Cabinet. In addition, no Member of the Cabinet can be a Member of the Policy Review and Development Panels or the Audit Committee.</p> <p>7.06 A Leader will be elected for a four year term at the Annual Meeting immediately following the ordinary election of Members.</p> <p>7.07 Where there is a vacancy in the office of Leader, a new Leader can be elected by the Full Council at any</p>	

No.	Summary	Section of constitution	Proposed change	Why?
			<p>Full Council Meeting.</p> <p>7.08 After election the Leader shall hold office until:</p> <ul style="list-style-type: none"> a) They resign from the office (which shall be reported to the next Full Council Meeting); b) They become disqualified from being a Member (which shall be reported to the next Full Council Meeting); c) They are removed from office by resolution of the Full Council; or d) Immediately preceding the Annual Meeting following the next ordinary election of Members. <p>7.09 If the Council removes a Leader from office by resolution, it must elect a new Leader at the same Full Council Meeting or a subsequent Full Council Meeting.</p> <p>7.10 The Deputy Leader shall deputise for the Leader and carry out the functions delegated to the Leader in periods of their incapacity or absence.</p>	

No.	Summary	Section of constitution	Proposed change	Why?
			<p>7.11 The Deputy Leader shall hold office for a period of four years from the date of appointment by the Leader or until:</p> <ul style="list-style-type: none"> a) They resign from the office; b) They cease to be a Member; c) They are removed from office by the Leader. <p>7.12 Other Cabinet Members shall hold office until:</p> <ul style="list-style-type: none"> a) They resign from office; b) They cease to be a Member; c) They are removed from office by the Leader. <p>Proceedings of the Cabinet</p> <p>7.13 Subject to Article 13.04, the proceedings of the Cabinet shall be conducted in accordance with the Rules of Procedure set out in Part 4 of this Constitution relating to executive functions.</p> <p>..... <i>continued.</i></p> <p>Amend: The numbering in Article 7 amended accordingly.</p>	

No.	Summary	Section of constitution	Proposed change	Why?
<i>FOLLOWING PROVISION NOT CONSIDERED BY THE CIWG – PROPOSED BY THE MONITORING OFFICER</i>				
4	Bring Standing Order 23 in line with the legislation	Standing Order 23.3	<p>Current Wording:</p> <p>23.3 When the Council proposes to appoint such a chief officer, and it is not proposed to appoint that person from a pool limited to officers who are employed by the Council, the Council shall:-</p> <p>(a) cause to be prepared, for its approval, a statement specifying the duties attaching to that post and any qualification or qualities required of any person who desires to be appointed to it;</p> <p>(b) cause arrangements to be made for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and</p> <p>(c) cause arrangements to be made for a copy of the statement mentioned in paragraph 23.3(a) of this Standing Order to be sent to any person who requests a copy of it</p>	<p>SO 23.3 (a) is effectively requiring there to be a Job Description, which on the current drafting has to be approved by Full Council. Deciding on a Job Description is in its nature very operational, undertaken in consultation between HR and relevant officers. The legislative provision requiring this SO does not prescribe there to be Full Council approval.</p> <p>There is statutory guidance (which we must have regard to) which states</p>

No.	Summary	Section of constitution	Proposed change	Why?
			<p>Delete in SO 23.3 (a):</p> <p>“ ..., for its approval,...”</p>	<p>that any salary packages of chief officers over £100,000 should be approved by Full Council. This will be the procedure followed going forwards for the approval of any salary packages for new appointments to Chief Officer roles. The papers for this approval will inevitably include the Job Description as a background paper, but the Job Description should not need approval by Full Council given its operational nature.</p>

CONSTITUTION INFORMAL WORKING GROUP

TABLE OF PROPOSED DRAFTING AMENDMENTS TO CONSTITUTION:

No.	Section of constitution	Proposed change
1	Standing Order definitions	<p>Deletions:</p> <ul style="list-style-type: none"> a) Definition for “EU” b) Definition of Remote Meeting c) Definition of “The 2020 Regulations” d) Paragraph 4 including 4.1-4.3 and renumber 5 into the new number 4
2	Standing Order definitions	<p>Additions:</p> <ul style="list-style-type: none"> a) Underneath the definition for “Council” and before “Disciplinary Action”: “Council Body” means a body of the Council whose meetings are subject to public access under the Local Government Act 1972 or Local Government Act 2000 “Council Procedure Rules” means the Council Procedure Rules within the Constitution which set out the rules of procedure relating to Full Council

b) Underneath the definition for “Chief Officer” and before “Consultation Procedure”:

“Constitution” means the Council’s constitution adopted under section 9P of the Local Government Act 2000

c) Underneath the definition for “Forward Plan” and before “Head of Authority’s Paid Service”:

“Full Council” means the Council Body made up of all Members of the Council

“Full Council Meeting” means the meetings of the Full Council as set out in the Council Procedure Rules

d) Underneath the definition for “Portfolio Holder” and before “Standards Committee”:

“Proposer” means the person that moves a motion including its recommendations and including amendments

“Regulatory Council Body” means Planning Committee, Licensing Committee, Licensing and Appeals Board and hearings/interviews of the Appointments Board/Investigation and Disciplinary Panel and Standards Committee

		<p>“Resolution” means decision of a decision-making Council Body</p> <p>“Secunder” means the person that seconds a motion from a Proposer</p> <p>“Standing Orders” these standing orders adopted as part of the Constitution</p>
4	Standing Order definitions	<p>Amendments:</p> <p>a) Replace: “Access Regulations” means the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000. Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012</p> <p>WITH</p> <p>“Access Regulations” means the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012</p> <p>b) Replace: “Chair” means the Chair of the Appropriate Committee or in their absence the Vicechair</p>

WITH

“Chair” means the Member appointed as chair of a Council Body or in their absence the Vice-Chair

c) In the definition for “Cabinet” replace: “...section 15...” WITH “...section 9C...”

d) In the definition for “Forward Plan” replace: “...Regulations 13 and 14...” WITH “...Regulation 9...”

e) Replace: “Meeting” means a meeting of the Council, Cabinet, Committee, Sub-Committee Board or Task Group as the case may be and includes a Remote Meeting, i.e. a reference to a Meeting also includes a reference to a Remote Meeting, where the definition for a Remote Meeting is met

WITH

“Meeting” means the meeting of a Council Body

f) In the definition for “Scrutiny and Overview Committee” replace: “...section 21...” WITH “...section 9F...”

5	Standing Order 1	<p>Replace:</p> <p>a) Replace: 1.1 These Standing Orders shall be used to regulate the conduct of any meeting of the Council (Cabinet, Committees, Sub Committees, Panels, Boards, delegated decisions of Cabinet)</p> <p>WITH</p> <p>These Standing Orders shall be used to regulate the conduct of any Meeting of a Council Body, plus Informal Working Groups and executive delegated decisions.</p> <p>Delete:</p> <p>b) In 1.3 delete the words “or by facsimile.”</p>
5	Standing Order 3	<p>Delete:</p> <p>a) SO 3.2</p>
6	Standing	<p>Delete:</p>

Order 4

a) In “Extracts from Statute” delete:

“as amended by the 2020 Regulations”

And

“In respect of a reference in any enactment to a meeting of a local authority, that authority may, as they may determine—

(a) hold such meetings and at such hour and on such days; and

(b) alter the frequency, move or cancel such meetings,

without requirement for further notice. (The 2020 Regulations, reg 4)”

b) In Standing Order delete: SO 4.2 to 4.11

Amend:

a) Replace: 4.1 Meetings of the full Council (“the Council”) shall be conducted in accordance with these Standing Orders except to the extent that they are suspended under the procedure that is set out by Standing Order 2.

WITH

		4.1 Meetings of the Full Council shall be conducted in accordance with these Standing Orders and the Council Procedure Rules except to the extent that they are suspended under the procedure that is set out by Standing Order 2.
7	Standing Order 5	Delete: a) SO 5.1 and 5.2 – renumber accordingly
8	Standing Order 6	Delete: a) SO 6.5 and 6.6
9	Standing Order 8	Delete: a) Standing Order 8 and replace with "NOT USED"
10	Standing Order 9	Delete: a) Standing Order 9 and replace with "NOT USED"
11	Standing	Delete:

	Order 11	a) Standing Order 11 and replace with "NOT USED"
12	Standing Order 12	Amend: a) At 12.15 replace: "s 15 & 16 (Access to information) (England) Regulations 2000" with "Regulations 10 and 11 of the Access Regulations"
13	Standing Order 14	Delete: a) Standing Order 14 and replace with "NOT USED"
14	Standing Order 17	Delete: a) 17.3A and reference to it elsewhere b) 17.4
15	Standing Order 18	Delete: a) Standing Order 18 and replace with "NOT USED"

16	Standing Order 20	Delete: a) The second SO 20.1
17	Standing Orders contents page	Update as required
18	Throughout	Make amendments to use consistent definitions of: “Meeting”, “Member”, “Council Body”, “Full Council”, “Proposer”, “Seconder”, “Monitoring Officer”
19	Article 4.02	Add in Budget Meeting and use Council Procedure Rules and Standing Orders definitions

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK
CORPORATE PERFORMANCE PANEL - INFORMAL WORKING GROUP -
CONSTITUTION

Minutes from the Meeting of the Corporate Performance Panel - Informal Working Group - Constitution held on Tuesday, 14th May, 2024 at 4.30 pm in the Kempe Room, Town Hall

PRESENT: Councillor A Beales (Chair)
 Councillors S Bearshaw, R Coates, B Long, J Moriarty and J Osborne.

1 **APPOINTMENT OF CHAIR OF THE IWG**

Councillor Beales was appointed Chair of the Informal Working Group.

2 **APOLOGIES FOR ABSENCE**

Councillors Dickinson and Ryves.

3 **MEMBERS PRESENT UNDER STANDING ORDER 34**

Councillor Coates.

4 **INTRODUCTION FROM THE MONITORING OFFICER**

The Monitoring Officer outlined the purpose of the group, the statutory duty to review the Constitution periodically and proposals for plans/framework to take the work forward.

It was suggested that one set of amendments be taken through the decision making process each year. It was suggested that the first set of amendments be taken to Full Council on 28th November, meaning the IWG would need to present their first report back to the Corporate Performance Panel at their meeting on 16th October and Cabinet on 5th November.

The Monitoring Officer suggested the way forward be:

- To keep a running list of minor amendments.
- The IWG to pick topics/sections of the Constitution to review and if necessary the IWG could break off into sub groups to look at sections in more detail and bring their proposals back to the IWG for consideration.
- The IWG would have a continuous role.

The IWG made the following comments:

- Important for cross party and Cabinet Member support, that is why Cabinet Members were included in the IWG.
- Councillor Coates likely to replace Councillor Dickinson on the IWG in the new Municipal Year.
- The IWG discussed if it was necessary to start from scratch and pick a model Constitution to work from, however it was felt that currently the existing constitution was still workable and work should start on amending the current constitution.
- Officers from other Directorates could be invited to IWG meetings if the group wanted to consider certain parts of the Constitution, for example the Financial Regulations. It was also important to know what other departments were in the process of reviewing to avoid duplication.

5 **CENTRE FOR GOVERNANCE AND SCRUTINY GUIDANCE ON CONSTITUTION REVIEW**

The Monitoring Officer encouraged the IWG to read through the guidance, in particular the 26 items which acted as a checklist.

The IWG discussed the impact a change of governance arrangements would have on the Constitution but it was felt that the work of the group should continue with regard to the existing arrangements. It was noted that the Governance Review work was still ongoing.

The Monitoring Officer provided examples of:

- Wirral's Constitution which was a good example.
- NCC Constitution which had a good contents page and index.

The IWG noted that training for officers and Councillors on the Constitution would be required so that all could take ownership and be aware of the rules.

Councillor Coates agreed to pass his list of typos to the Monitoring Officer, which could be added to the list of Minor amendments as appropriate.

6 **FORWARD WORK PROGRAMME**

The Monitoring Officer provided the IWG with a list of topics/sections that the IWG could focus on which included:

- Scheme of Delegation – it was noted that minimal changes to this were likely to come forward in June following Cabinet appointments at Annual Council. The Monitoring Officer also suggested that delegations to officers needed to be included if there was a legal requirement to do something, for example the Local Plan process.
- Inclusion of information on Companies.
- Budget Council meeting – procedures. The IWG agreed that this item was a priority for the group to focus on and would come back to the next meeting for consideration.

- Full Council – questions not carrying over, order of business and Notices of Motion.
- Legislative updates, including removal of repealed legislation – Monitoring Officer to bring back amends to a future meeting of the group.
- Reduction on the number of Members on Committees.

The IWG agreed which items they needed to look at as a priority and these would be brought to the next meeting, which would take place the beginning of July.

7 **TERMS OF REFERENCE**

The Group accepted the Terms of Reference agreed by the Corporate Performance Panel and noted that they could be amended if required when the group reported back to the Panel.

8 **DATE OF THE NEXT MEETING**

Tuesday 2nd July at 4.30pm in the Kempe Room, Town Hall and on Microsoft Teams.

The meeting closed at 6.23 pm

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK
CORPORATE PERFORMANCE PANEL - INFORMAL WORKING GROUP -
CONSTITUTION

Minutes from the Meeting of the Corporate Performance Panel - Informal Working Group - Constitution held on Wednesday, 24th July, 2024 at 3.30 pm in the Meeting Room 2-4 - Second Floor, King's Court, Chapel Street, King's Lynn

PRESENT: Councillor A Beales (Chair)
 Councillors S Bearshaw, R Coates, A Dickinson, A Kemp, S Lintern, J Moriarty, J Osborne, A Ryves and A Ware

An apology for absence was received from Councillor B Long

1 MEMBERS PRESENT UNDER STANDING ORDER 34

Councillors R Coates and A Kemp attended under standing order 34.

2 NOTES FROM THE PREVIOUS MEETING

The Notes from the meeting on 14 May 2024 were agreed as a correct record.

3 REPORT FROM THE MONITORING OFFICER

The Monitoring Officer presented her report addressing areas of the Constitution that required immediate attention in this Municipal Year, the following documents were presented for consideration:

- Draft Council Procedure Rules which were commonly adopted across other local authorities.
- To extrapolate the concept out to its fullest extent, the report suggested that there could also be Cabinet Procedure Rules and Committee Procedure Rules that would replace a majority of Standing Orders.
- The draft Council Procedure Rules pick up the identified key issues around a Budget Full Council Meeting Procedure, Notices of Motion, Questions to Cabinet Members and Chairs
- Schedule of Minor amendments to the Constitution

4 MINOR AMENDMENTS LIST

The list of minor amendments to the Constitution were noted.

5

TOPICS FOR CONSIDERATION - COUNCIL PROCEDURE RULES

The Working Group considered the draft procedure rules, which had been based on those used by 4 other local authorities in the area.

Councillor Joyce had submitted his comments on the document via email.

Budget Meeting

The Working Group considered the Budget element of the procedure in great detail. It was proposed to have the meeting solely to deal with budget related items, with no Cabinet members questions, in order for the council to give due consideration to those items. The draft procedures on the issue of amendments to the budget set out suggestions on them being submitted through Group Leaders where they existed, to the S151 officer so that they could be assessed as delivering a balanced budget, being within the Council's powers and not triggering any legal requirement for consultation. They would be shared with other Group Leaders.

The numbers of amendments would also be limited. Once confirmed the amendments would be published.

The Working Group debated the draft proposals with differing views regarding the amendments. Concern was raised at last minute amendments being tabled which no members had been able to consider in advance and take into account the impact of them. Points were also raised that Members should be able to bring amendments at any stage in the run up to and during the budget meeting as a democratic right.

It was agreed that Members access to the budget process should begin earlier in the process, in November, in order for all members to become more familiar with the budget documents through training and consideration of reports, to enable them to have their say on proposals early in the process.

The draft proposals also suggested extending the times for speaking on the budget. This was supported.

Recommended: That the Corporate Performance Panel be asked to consider the draft section 6 on the Budget meeting, taking into account the points raised on the rights and responsibilities of Councillors to their communities when considering budget proposals,

and the democratic rights of Councillors to make amendments up to the final decision being taken.

Notices of Motion

The draft proposal for Notices of Motion contained a section for members to consider the suitability of alternative areas for the subject matter to be considered. It was agreed that this be included.

The paper suggested that the number of Notices of Motion should be limited per Group, and for non aligned, and the limits would not be rolled over.

The question of setting a time limit for the consideration of Notices of Motion was discussed, acknowledging the ability to move a debate forward through procedural motions such as the Question be put. It was suggested that the Mayor should use the motion when required. It was also agreed that amendments to Motions should be sent round in advance to members.

Recommended: That the Corporate Performance Panel be invited to consider the proposals as put forward whilst also inviting the Panel to consider the question of time limits on Notices of Motion.

Cabinet Members Questions

The proposed procedure suggested merging Cabinet Members and Leaders Questions into a 1 hour slot, and did not permit a roll over of reports to following meetings if the items were not completed. This proposal was agreed. The question of whether supplementary questions be permitted to be referred to the Panel for consideration.

Questions of Chairs

The procedure suggested a time limit on questions of Chairs and did not permit a roll over to the following meeting if not completed..

Recommended: That the Corporate Performance Panel be invited to endorse the proposals on Cabinet Member and Chairs Questions, also considering the issue of whether supplementary questions should be permitted.

6 **ANY OTHER BUSINESS**

None

7 **DATE OF THE NEXT MEETING**

It was suggested that the next meeting of the IWG be held at the end of August, and again at the end of September.

The recommendations would then go to Corporate Performance Panel, and all Councillor briefings prior to going to Cabinet and Council.

The meeting closed at 6.10 pm

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

CONSTITUTION INFORMAL WORKING GROUP

Minutes from the Meeting of the Constitution Informal Working Group held on Thursday, 22nd August, 2024 at 5.00 pm in the Meeting Room 2-4 - Second Floor, King's Court, Chapel Street, King's Lynn and on Microsoft Teams

PRESENT: Councillor Beales (Chair), Bearshaw, Lintern, Long, Moriarty and Osborne.

PRESENT UNDER STANDING ORDER 34: Councillors Bubb, Coates and Ratcliffe.

OFFICERS: Alexa Baker, Monitoring Officer

1 **APOLOGIES**

Councillors Dickinson and Ware.

1 **APOLOGIES**

Councillors Dickinson and Ware.

2 **MEMBERS PRESENT UNDER STANDING ORDER 34**

Councillors Bubb, Coates and Ratcliffe.

3 **NOTES FROM THE PREVIOUS MEETING**

The notes from the previous meeting were agreed as a correct record.

4 **REPORT FROM THE MONITORING OFFICER**

Members were reminded that they had considered the draft Council Budget meeting procedure rules at the last meeting. The proposal would be that these would be presented to CPP, Cabinet and Full Council before becoming part of the Constitution. The creation of the rules would mean that some Standing Orders could be stripped out as they were covered instead by the meeting rules.

The benefit of the meeting rules would be that they were all in once place and pertinent to each body. A separate set of meeting procedure rules could be created for the different types of meetings.

5 **TOPIC FOR CONSIDERATION- COUNCIL PROCEDURE RULES**

The Council procedure rules were considered by the Group as follows and the Group agreed that the rules could be presented to CPP for consideration, subject to the following changes:

Notices of Motions

Suggested one motion per group per meeting and time limit introduced – 30 minutes per motion and 60 minutes overall with the ability to roll over to the next meeting. The Group discussed the rolling over of motions and felt that they should not be rolled over and instead would need to be resubmitted to a subsequent meeting if they were still relevant.

RECOMMENDED: Notices of Motion rules as set out in the agenda be taken forward, however Notices of Motions should not be rolled over and instead would need to be resubmitted.

Prayers (page 14 of agenda)

Noted that these were a choice.

RECOMMENDED: CPP/Full Council invited to consider.

Procedure at Annual Meetings (page 41 of agenda)

Speeches for Chairs nominations were clarified in 3.5 to 3.7 there would be no speeches for those proposed as Chairs of Committees and Leader of the Council.

3.7 dealt with vote of thanks to the outgoing Mayor and Deputy. Suggested that this be reworded so that a vote was not required. “Convey Thanks” would be used instead.

Procedural Closing Motion and ‘the question now be put’ (page 52 of agenda)

Suggested changes were outlined and included making the procedure clearer and the Group were asked to consider if the Chair should have the power to adjourn the meeting.

11.1.1 also set out the procedure for ending the debate on an item. The group were asked to consider if this should come from the Mayor or the floor. Problems with it coming from the floor could be that the Member who wishes to propose that ‘the question now be put’ may be on a long list of speakers and have to wait.

RECOMMENDED: 1. Proposer and seconder required to bring the meeting to a close. Power should not lie solely with the Chair of the meeting.

2. Two options be put forward for CPP to consider relating to 'the question now be put'. Either needs to come from the floor only, or give the Mayor the power to propose.

Rules of Debate

Members of the Group to read through, check the flow and submit and amendments to Alexa Baker.

The Group was asked to consider if rules should be added to give Group Leaders precedent to speak first as in the budget meeting rules, or if this should remain as Mayors discretion.

RECOMMENDED: Group Leaders precedent to speak first should only apply to the Budget Meetings.

Amendments to Motions

13.14 set out the process for moving amendments. This was that the Monitoring Officer would confirm it was a valid amendment and did not negate or introduce a new issue etc. A new step to disallow/allow was suggested to be added in before the proposer could then speak on the amendment.

A definition section would also be added.

The Group were asked to check the flow of words in this section and submit any comments to Alexa Baker.

Public Question Time.

Added that the question and answer should be appended to the minutes.

Councillor Long asked if the ability for the public to ask a question remotely be removed as it was not always easy to hear.

RECOMMENDED: 16.6 be amended to exclude the press and public getting hard copies of public questions. It was noted that a list of public questions was published on the website in advance of the meeting instead.

MINOR AMENDMENTS LIST

The minor amendments list was noted. The Group discussed the proposal to decrease the size of the Planning Committee.

Amendments to Standing Order 34 were also discussed with regard to the Planning Committee.

RECOMMENDED: 1. The proposal to decrease the size of planning be passed to CPP for consideration.
2. Standing Order 34 for Planning Committee be amended to permit the Ward Member, plus one other under exceptional circumstances with the agreement of the Chair of the Planning Committee.

7 **ANY OTHER BUSINESS**

Councillor Beales informed the Group that he would be standing down as Chair. A new Chair would be appointed at the next meeting.

8 **DATE OF THE NEXT MEETING**

2nd October 2024 at 4.00pm in Meeting Room 2:4, King's Court.

The meeting closed at 6.20pm