

ANNUAL COUNCIL	AGENDA ITEM No. 11
20 MAY 2015	PUBLIC REPORT

Contact Officer:	Kim Sawyer, Director of Governance	Tel: 01733 452361
------------------	------------------------------------	-------------------

STANDING ORDERS

R E C O M M E N D A T I O N S
FROM : Members Officer Working Group, Chairman Councillor Seaton
<p>It is recommended that:</p> <ol style="list-style-type: none"> 1. Standing Orders are varied in that Council: <ol style="list-style-type: none"> (a) revoke the following Standing Orders as set out in the Constitution at: <ol style="list-style-type: none"> (i) Part 4, Section 1 of the Council's Constitution - The Council's Standing Orders. (b) adopt each of the variations to the Council Standing Orders set out at Appendix 1 and (c) adopt the related protocols/schemes as follows: <ol style="list-style-type: none"> i. The Selection of Mayor Protocol, as amended, attached at Appendix 2; and ii. The Petition Scheme attached at Appendix 3.

1. PURPOSE AND REASON FOR REPORT

- 1.1 At the last meeting of Council on 15 April 2015, the Standing Orders were referred to Council for adoption. Those Standing Orders were postponed without discussion until the next meeting in accordance with Standing Order 10 of the General Standing Orders.
- 1.2 The Member Officer Working Group (MOWG) has taken on the role of considering proposed Constitutional Changes following the merging of the Member's Working Board and the Constitution Review Group.
- 1.3 The report details the main changes to the Standing Orders as proposed by the Group, along with others as proposed by Democratic Services following the utilisation of the previous revisions for almost a year.

1.4 The report further outlines additional protocols/schemes arising out of the review of standing orders by the Member Officer Working Group. It is requested that Council approve and adopt these documents alongside the Standing Orders.

2. BACKGROUND

2.1 The Council's Standing Orders were revised and adopted by Council on 16 April 2014 and it was agreed that following six months of implementation, the Orders would be revisited in order to ascertain whether they were fit for purpose.

2.2 Throughout the course of the year, a number of issues have arisen and been highlighted by Members these being:

- i. The process for appointment of Chairman / Vice Chairman in year;
- ii. The length of time for budget speeches; and
- iii. The length of time for questions on notice and the number of questions.

2.3 These individual points have been discussed at the Member Officer Working Group and the Standing Orders updated to reflect the necessary revisions.

2.4 Throughout the course of the year, general day to day working within Democratic Services has also highlighted a number of areas where new Standing Orders didn't offer sufficient clarity.

2.5 The Standing Orders have been updated to reflect the re-addition of some previously rescinded Standing Orders, all changes are highlighted in yellow within the Orders at Appendix 1.

2.6 Members are requested to consider and agree the revisions.

3. SELECTION OF MAYOR PROCESS

3.1 At the Council meeting held on 23 July 2014, a motion was put forward by Councillor Julia Davidson which requested exploration be undertaken into alternative ways of nominating the Mayor in future years.

3.2 A number of options were explored and a paper presented to the Member Officer Working Group for consideration. Following cross party debate, a scheme of nomination by order of seniority was considered to be the most fair and practical way of nominating a Mayor Elect. A scheme is attached at Appendix 2 for Council to consider and approve for inclusion with the Constitution at Part 5 Section 8.

3.3 Following a Group Leader's meeting, amendments to the draft protocol are proposed in relation to the appointment of the Mayor, this being that the Member will be eligible for the role of the Mayor 'provided that they have not previously served as Mayor'.

3.4 A further amendment is proposed in relation to the Deputy Mayor, this being that the Deputy Mayor will also be appointed by order of seniority.

3.5 As the Selection of Mayor Process is a protocol and not a standing order, the amendments can be debated and accepted at the meeting.

4. PETITIONS SCHEME

- 4.1 The Council has been operating without a formal petition scheme for some considerable time. The Petition Scheme was last presented to Council in October 2014 and all aspects of the Scheme were considered acceptable bar the levels of signature required to incite debate at Cabinet and Council. The Member Officer Working Group was tasked with revisiting the levels and proposing alternatives as considered appropriate.
- 4.2 Following a number of cross party debates within the Group, it was agreed that the levels would be 50 signatures to incite debate at Cabinet and 500 to incite debate at Council.
- 4.3 These levels are for Council to discuss and consider. Once this aspect of the Scheme has been agreed, the new Scheme can be implemented and included within the Constitution at Part 5 Section 9. The Scheme is attached at Appendix 3.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications for any of the above report.

6. LEGAL IMPLICATIONS

- 6.1 There are a number of standing orders that are mandatory or are a direct repetition of the relevant Act or Regulation. These are included within the Orders and have not been amended in any way.

7. BACKGROUND DOCUMENTS

- 7.1 Notes and agenda of the Member Officer Working Group.

This page is intentionally left blank.