

CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 4
28 JANUARY 2019	PUBLIC REPORT

Report of:	Councillor Nick Sandford	
Cabinet Member(s) responsible:	Councillor David Seaton, Cabinet Member for Resources	
Contact Officer(s):	Fiona McMillan, Director of Law and Governance and Monitoring Officer Pippa Turvey, Democratic and Constitutional Services Manager	Tel. 452460

FULL COUNCIL DEBATES MOTIONS AND RECOMMENDATIONS

R E C O M M E N D A T I O N S	
FROM: Councillor Nick Sandford	Deadline date: N/A
<p>The Constitution and Ethics Committee are invited to consider the proposal regarding the proposed alteration to the mechanism by which motions and amendments are debated and, as appropriate, determine what further consultation is required and/or whether to recommend its adoption to Full Council.</p> <p>Where it is recommended that the proposed amendments are made, to request that the Monitoring Officer amends the Standing Order to reflect this and to take them forward for approval by Full Council.</p>	

1. ORIGIN OF REPORT

1.1 This report is submitted to the Constitution and Ethics Committee following a request from Councillor Sandford to alter the way motions and amendments are debated at Full Council.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to seek the views of the Constitution and Ethics Committee as to whether the Council's structure to debating motions is fit for purpose.

2.2 This report is for the Constitution and Ethics Committee to consider under its Terms of Reference No. 2.7.2.1

Authority to oversee the operation of the Council's Constitution and authority to make recommendations to Full Council as to amendments and improvements to the Council's Constitution (including the codes and protocols) subject to the receipt and consideration of a report prepared by the Monitoring Officer, with the exception of those matters under the remit of the Executive.

3. **TIMESCALES**

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. **BACKGROUND AND KEY ISSUES**

4.1 Councillor Sandford at the Constitution and Ethics Committee meeting on 29 October 2018 requested an opportunity to formulate ideas on the motions and amendments that were debated at Full Council.

4.2 **Current System**

Currently the Council has a system whereby a motion or recommendation is moved and seconded. This is followed by any amendments being moved in turn. There is a debate and vote on each amendment before the next amendment is considered. There is then a debate and vote on the main motion or recommendation.

4.3 **The Problem**

The view of Councillor Sandford is that there is often a long debate on amendments which may only amend a small portion of the motion or recommendation. In particular Councillor Sandford has highlighted the following from his experience:

- Budget debates can last for long periods when only debating minor amendments, instead of spending time debating the budget spend as a whole.
- The mover of the main motion may never get to debate what they have proposed.
- It is not democratic to deny a councillor proposing a motion the right to debate the wording that they have put forward.

4.4 **Possible Solution**

This proposition from Councillor Sandford is based on systems of debate that are used at some other Councils.

The proposer of a motion or recommendation would move the motion and it is then seconded. Any amendments are then proposed and seconded each in turn. There is then a general debate on the main motion and the amendments. Each speaker would be asked by the Mayor to state whether they are speaking for or against one of the amendments or for or against the main motion. A member may wish to speak, for example, both for one of the amendments but against the main motion or vice versa.

At the end of the debate, there would then be a summation speech by the mover of the main motion or recommendation, who would be asked to respond to the debate on both the main motion and the amendments.

4.5 **Proposed Action**

If the committee agrees to the proposition, then the legal officers would be asked to draft the necessary amendments to the Council Standing Orders for submission to a future meeting of Full Council. Because this would be a significant change, it may be appropriate to do some consultation with group leaders and party groups first, so it might be sensible to put the proposition to Annual Council in May.

4.6 The Committee will need to decide whether the proposal is one by which they are happy to recommend for approval at Full Council.

It is suggested that the Monitoring Officer is afforded a reasonable time to formulate any changes to the constitution before being presented.

5. CONSULTATION

- 5.1 The Constitution and Ethics Committee are the consultees on the proposal. Any final recommendations would need to be agreed by Full Council.

Officers have had the opportunity to review the proposals.

It would also be agreed that if the proposal is acceptable that Group Leaders are consulted on this to include their input. Should this consultation impact the recommendation, this may be brought back to the Committee for further consideration.

6. ANTICIPATED OUTCOMES OR IMPACT

- 6.1 It is for the Committee to agree the proposal. The impact would include changes to the Council's Standing Orders.

7. REASON FOR THE RECOMMENDATION

- 7.1 It is the view of Councillor Sandford that the advantage of the proposed system is that everyone gets to debate the motion or the amendment as they so choose. It should not add to the length of the debate overall but ensure that the debate is not dominated unreasonably by one particular aspect of the issue in question, just because it happens to be the subject of an amendment.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 The alternative option is to keep the order for debate on motions and amendments as they currently stand.

9. IMPLICATIONS

Financial Implications

- 9.1 There are none.

Legal Implications

- 9.2 Updating of the Council's Standing Orders should this proposal be agreed.

Equalities Implications

- 9.3 There are none.

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

- 10.1 Peterborough City Council Constitution - Part 4 section 1 - Council's Standing Orders

11. APPENDICES

- 11.1 None.

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