
TO REVIEW COUNCIL PROCEDURE RULE 16.3 – PUTTING THE MOTION AT THE MEETING

To: Standards Committee – 4 September 2013

By: Harvey Patterson, Corporate & Regulatory Services Manager

Classification: Unrestricted

Ward: N/A

Summary: To review Council Procedure Rule 16.3 – Putting the Motion at the Meeting

For Decision

1.0 Current Situation

- 1.1 Council Procedure Rule (CPR) 16.3 – Putting the Motion at the Meeting, has been drafted and adopted on the assumption that it is Members of the opposition political group who generally submit motions on notice to Council thus, if the motion is seconded, entitling a member of the controlling political group to exercise a right of reply. However, as evidenced recently, members of the ruling political group also put forward such motions.
- 1.2 It had been suggested in the report to the meeting of the Constitutional Review Working Party on 7 March 2013 that the right of reply be extended to include a member of the opposition political group. However, the view was expressed at that meeting that there could be circumstances under which it would be more appropriate for a member of another political group to exercise a right of reply, and the Working Party agreed that the matter be deferred for reconsideration.
- 1.3 Recommendation of the Constitutional Review Working Party

The Constitutional Review Working Party reconsidered the matter on 21 August 2013, and agreed to recommend to Standards Committee that CPR 16.3 be amended as follows:

“16.3 Putting the Motion at the Meeting

*The Member whose name appears first on the Notice will move the motion during his or her speech and call for a seconder. **If seconded and the mover of the motion is a member of a political group other than the ruling political group, the Chairman will call upon a member of the ruling political group to reply. If seconded and the mover of the motion is a member of the ruling political group, the Chairman will call upon a member of one of the other political groups to reply. In such circumstances the Chairman will call upon a member of the second largest political group unless, exceptionally and based upon the nature of the motion, the Chairman considers it appropriate to call upon a member of another political group (other than a member of the ruling***

political group) to reply. *The motion shall then stand referred without further discussion to the Cabinet or appropriate Committee for determination or report unless the Council decides to debate the motion in accordance with Rule 19.”*

2.0 Corporate Implications

2.1 Financial and VAT

2.1.1 None

2.2 Legal

2.2.1 Any changes to procedural rules will require the Council’s constitution to be amended.

2.3 Corporate

2.3.1 The Council’s constitution sets out the rules governing the Council’s business.

2.4 Equity and Equalities

2.4.1 None apparent

3.0 Recommendation

3.1 That Standards Committee agrees with the Constitutional Review Working Party’s recommendation (*as set out at paragraph 1.3 above*), and in turn recommends to Council:

“That CPR 16.3 be amended as follows:

‘16.3 Putting the Motion at the Meeting

*The Member whose name appears first on the Notice will move the motion during his or her speech and call for a seconder. **If seconded and the mover of the motion is a member of a political group other than the ruling political group, the Chairman will call upon a member of the ruling political group to reply. If seconded and the mover of the motion is a member of the ruling political group, the Chairman will call upon a member of one of the other political groups to reply. In such circumstances the Chairman will call upon a member of the second largest political group unless, exceptionally and based upon the nature of the motion, the Chairman considers it appropriate to call upon a member of another political group (other than a member of the ruling political group) to reply.** The motion shall then stand referred without further discussion to the Cabinet or appropriate Committee for determination or report unless the Council decides to debate the motion in accordance with Rule 19.’*

4.0 Decision Making Process

4.1 Any recommendations of Standards Committee will be referred to Council for final decision.

Future Meeting

Council	3 October 2013
Contact Officer:	<i>Harvey Patterson, Corporate & Regulatory Services Manager and Monitoring Officer, Ex 7005</i>
Reporting to:	<i>Dr Sue McGonigal, Chief Executive and S. 151 Officer, Ex 7002</i>

Annex List

<i>None</i>	
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Background Papers

Title	Details of where to access copy
<i>None</i>	

Corporate Consultation Undertaken

Finance	<i>n/a</i>
Legal	<i>n/a</i>