
TO REVIEW COUNCIL PROCEDURE RULE 3.1 – CALLING EXTRAORDINARY MEETINGS

To: **Council – 3 October 2013**

By: **Harvey Patterson, Corporate & Regulatory Services Manager**

Classification: **Unrestricted**

Ward: **N/A**

Summary: **To determine whether to amend CPR 3.1(iv) to increase the number of members required to requisition an extraordinary meeting of Council.**

For Decision

1.0 Current Situation

1.1 Council Procedure Rule (CPR) 3.1 - Calling extraordinary meetings - provides as follows:-

3.1 *Calling extraordinary meetings*

Those listed below may request the proper officer to call Council meetings in addition to ordinary meetings:

- (i) the Council by resolution;*
- (ii) the Chairman of the Council;*
- (iii) the Monitoring Officer; and*
- (iv) any five members of the Council if they have signed a requisition presented to the Chairman of the Council and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.*

1.2 The provision at CPR 3.1(iv) is intended to allow any five members to present a requisition for an extraordinary meeting of Council to the Chairman of Council. Thereon the Chairman has seven days in which to decide to call the meeting herself under CPR 3.1(ii). However, should the Chairman refuse to call an extraordinary meeting or fail to make a decision with the seven day period, the requisition becomes effective at that point and it will then be the responsibility of the proper officer to make the necessary arrangements to call an extraordinary meeting

1.3 Following the requisition signed by five members that resulted in the extraordinary meeting of Council on 6 August 2013 considering two motions that in the opinion of a number of other members could have conveniently waited to the next ordinary meeting of Council, it has been suggested that, the number of members required to requisition an extraordinary meeting be increased.

1.4 In the opinion of the Monitoring Officer any decision to increase in the number of members required to sign a valid requisition to call an extraordinary meeting should be approached carefully in order to preserve the ability of a relatively small number of members to requisition an extraordinary meeting of Council to consider motions in respect of matters of substantial local significance that are genuinely urgent.

Therefore, if the Committee is minded to recommend an increase in the number of members required to sign a requisition calling for an extraordinary meeting of Council, any such increase should be very modest in nature.

2.0 Recommendation of Standards Committee

2.1 At its meeting on 4 September 2013, the Standards Committee agreed with the recommendation of the Constitutional Review Working Party that CPR 3.1 be amended to read:

'3.1 Calling extraordinary meetings

Those listed below may request the proper officer to call Council meetings in addition to ordinary meetings:

- (i) the Council by resolution;*
- (ii) the Chairman of the Council;*
- (iii) the Monitoring Officer; and*
- (iv) **at least one eighth of the membership of Council** if they have signed a requisition presented to the Chairman of the Council and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.'*

subject to part (iv) of the Rule being reviewed if the number of Members of Council increase or decrease.

3.0 Corporate Implications

3.1 Financial and VAT

3.1.1 None

3.2 Legal

3.2.1 Any changes to procedural rules will require the Council's constitution to be amended.

3.3 Corporate

3.3.1 The Council's constitution sets out the rules governing the Council's business.

3.4 Equity and Equalities

3.4.1 None apparent

4.0 Recommendation(s)

4.1 Council is asked to consider the recommendation of Standards Committee:

"THAT CPR 3.1 be amended to read:

'3.1 Calling extraordinary meetings

Those listed below may request the proper officer to call Council meetings in addition to ordinary meetings:

- (i) the Council by resolution;*
- (ii) the Chairman of the Council;*

- (iii) *the Monitoring Officer; and*
- (iv) **at least one eighth of the membership of Council (such proportion being subject to review as the total number of Members of Council increases or decreases)** *if they have signed a requisition presented to the Chairman of the Council and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition*

5.0 Decision Making Process

5.1 This is a decision for Council.

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>	
-------------	--

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>