

Review of Standing Orders

Strategy & Resources Committee Thursday, 30th November 2023

Report of: Head of Legal Services & Monitoring Officer

Purpose: For recommending to Full Council

Publication status: Open

Wards affected: All

Executive summary:

This report proposes various amendments to Standing Orders.

This report supports the Council's priority of: Building a better Council

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Recommendations to Committee:

That the amendments to Standing Orders, as attached at Appendix B, be recommended to Full Council for adoption.

Reasons for recommendations:

The proposed amendments are intended to improve the Council's Standing Orders as a key governance tool by, in certain instances:

- addressing current anomalies
 - improving procedures and deleting others which no longer seem relevant
 - enabling clearer interpretation and application
 - removing reference to outdated practices.
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Introduction and background

1. Standing Orders for meetings and general governance form Part B of the Council's Constitution. They include the procedural rules for conducting Full Council and Committee meetings. As such, they are an important source of reference for Chairs, other Members, Officers and residents etc participating in the Council's decision-making processes.

2. For the sake of good governance, these Standing Orders, and other parts of the Constitution, are reviewed from time to time, with suggested revisions submitted to this Committee (as the Committee responsible for constitutional matters) for subsequent ratification by Full Council.
3. The recent review has sought to ensure that the Standing Orders are read correctly and do not contain any obvious errors; that they reflect current practice; that any cross references are accurate; and that the formatting is tidy and causes no confusion.
4. The main suggested amendments are:

Standing Order No.	Summary of proposed amendments
1-14	Procedures for Council meetings - Insertion of 'FULL' before 'COUNCIL' in the heading for SOs 1 to 14 to clarify that they refer to meetings of Full Council.
6(1)	Order of business for Full Council meetings – declaration of interests to go first.
6(2)	Removal of the need to vote on Annual Policy Statements (at Annual Council meetings).
7	<p>Proposal that the rule to prohibit the following within six months of a previous motion (unless supported by one-third of the Council's membership) shall only apply to free standing motions to Full Council under Standing Order 7:</p> <ul style="list-style-type: none"> - rescission of a resolution; and - further attempts to move a previously rejected motion.
8	Clarification of the process whereby Full Council could refer a Committee resolution back to the Committee.
8, 11(3) 30	Notice of intentions to speak at Full Council and submission of SO questions to be provided to Democratic Services as opposed to the Chief Executive.
9	<i>'Remission to a Committee'</i> (within the list of motions which can be moved without notice at Full Council) to be replaced with a clearer definition, i.e. <i>'Referral of a free-standing motion (under Standing Order 7) to a Committee'</i> .
9	Edits to motions that can be moved at meetings without notice (removal of some which are now considered redundant and amendments to others to reflect plain English).

Standing Order No.	Summary of proposed amendments
11/19	Removal of provision for 2 nd Vice Chairs.
12(1)	Clarification that 'proposers' and 'seconders' do not have to be physically present in the meeting room.
13, 25	<p>Acknowledgement that Members must be physically present to vote at Full Council and Committee meetings.</p> <p>Requirement for Members requesting a recorded vote at Full Council to be physically present.</p>
14,19, 21,24 and 25	Formal acknowledgement of Working Groups with associated procedural rules.
17(5)	Acknowledgement of the ' <i>call-in process</i> ' within the listed 'Restrictions on delegated powers to Committees'.
19	Provision for a Committee to appoint another Member to preside over any urgent business at its meeting immediately after Annual Council in the event of both the newly elected Chair and Vice Chair of the Committee being absent.
22	Provision for each Political Group to appoint an additional named substitute on each Committee.
27 - 34	Procedures relating to both Council and Committees – Insertion of 'FULL' before 'COUNCIL' in the heading for SOs 27 to 34 to clarify that they refer to meetings of Full Council, as well as Committee meetings.
29	Deletion of SO 29 (' <i>Recission of preceding resolution</i> ' ... sometimes referred to as ' <i>the six-month rule</i> ') and incorporating the provisions, with clearer wording, within SO7 (<i>Free standing motions to Council</i>) instead.
30 (1)	New clause (xiv) stating that, as per current practice, questions and responses in respect of SO 30(1) shall be recorded in the minutes of the relevant meeting.
30 (2)	Acknowledgement that, during the consideration of Committee minutes at Full Council, any questions to Committee Chairs are subject to the notice requirements of SO 11(3).

Standing Order No.	Summary of proposed amendments
30 to 32	Provisions to enable virtual attendees to ask questions / make representations / or present petitions under the relevant Standing Orders.
31 (1)	Clarification that, as per the Planning Protocol: <ul style="list-style-type: none"> • speakers at Planning Committee meetings must pre-register with Democratic Services by 4.30pm on the day before the Committee meeting; and • where an application straddles one or more Parish boundaries, each Parish Council will be allowed to speak for three minutes.
35	Definition of 'Management Team' amended to 'Extended Management Team' to enable Heads of Service to take decisions on the grounds of urgency.
45	Removal of certain obligations for services to political groups
49	Removal of the requirement to give a printed copy of the Constitution to each newly elected Member of the Council. Subject to any future Council resolutions to the contrary, such copies will, however, continue to be made available to Members on request.

5. These amendments are explained in greater detail at Appendix A, with a full copy of the recommended new version of Standing Orders with tracked changes at Appendix B.

Conclusions

6. The Committee is invited to consider the proposed revisions to Standing Orders. In each case, the options are to accept; reject; amend; or defer a decision, pending further consideration based on a follow-up report to a future meeting.
7. The Committee may also, of course, identify additional amendments, including those regarding Standing Orders not covered within this report.

Key implications

Comments of the Chief Finance Officer

There are no financial implications arising directly from this report.

Comments of the Head of Legal Services

The Council has a responsibility to ensure that decision-making is as effective as it can be. The purpose of the review undertaken is to improve this key Council governance document and that any proposed amendments comply with best practice.

Appendices

Appendix A – a more detailed summary of proposed revisions to Standing Orders for meetings etc

Appendix B – a full copy of Standing Orders for meetings etc with proposed amendments shown with track changes.

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