

Report of:	Meeting	Date	Item no.
The Leader of the Council (Cllr Gibson) and the Chief Executive (Garry Payne)	Council	22 January 2015	3

Constitution Amendment

1. Purpose of report

1.1 To enable a change to be made to the Constitution.

2. Outcomes

2.1 Effective governance arrangements and clear procedures for Council meetings.

3. Recommendation

3.1 That paragraph 11.3 of the Council Procedure Rules in Part 4 of the Constitution be amended to read as follows: (proposed additional wording is shown in italics):

Any Non-Executive Member of Council may ask a question or make a comment to the Leader or the relevant Portfolio Holder on the contents of their report or on any issue which falls within their area of responsibility. A maximum of ten minutes will be allocated for questions or comments to and responses by each Member of the Executive (Cabinet). At the end of these proceedings a further ten minutes in total will be allowed for the Executive Members to ask a question or make a comment on their respective fellow Executive Members reports/areas of responsibility.

4. Background

4.1 At the last Council meeting there was a debate about paragraph 11.3 of the Council Procedure Rules and, in particular, whether or not a Cabinet Member is entitled to ask questions or make comments on the report of another member of the Executive.

4.2 Paragraph 11.3 currently states:

Questions and Comments on Executive Reports

Any Member of Council may ask a question or make a comment to the Leader or the relevant Portfolio Holder on the contents of their report or on any issue which falls within their area of responsibility. A maximum of ten minutes will be allocated for questions or comments to and responses by each member of the Cabinet.

5. Key issues and proposals

- 5.2 In order to ensure that there is no confusion about who may speak and when, it is proposed that Paragraph 11.3 of the Council Procedure Rules be amended, as recommended in paragraph 3.1 of this report.

Financial and legal implications	
Finance	There are no financial implications arising directly from this report.
Legal	Addressing the issues identified in this report will clarify the procedures to be followed at Council meetings and reduce the risk of challenges being made to decisions.

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	x
equality and diversity	x
sustainability	x
health and safety	x

risks/implications	✓ / x
asset management	x
climate change	x
data protection	x

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List of background papers:		
name of document	date	where available for inspection
None	-	-

Appendices: None.