

Audit Committee

22nd March 2021



Report of: Service Director Legal & Democratic Services (Monitoring Officer)

Title: Council Procedure Rules – Proposed Constitution Updates

Ward: Citywide

Officer Presenting Report: Service Director Legal & Democratic Services (Monitoring Officer)

Recommendation

1. That the Audit Committee endorses the revised Council Procedure Rules
2. That the Audit Committee recommends to Full Council the adoption of the revised Council Procedure Rules to come into force following Annual Council.

Summary

This report proposes updates to the Council Procedure Rules as part of the Monitoring Officer's ongoing review of the constitution to reflect current practice, remove inconsistencies, and provide clarity. It is proposed that the revised Council Procedure Rules are considered by the Audit Committee for adoption by Full Council to come into force following Annual Council.

The significant issues in the report are:

The significant issues are set out in paragraphs 5-8 of the report and the detail of the proposed updates are set out in Appendix 1 to the report.



Policy

1. The Council has a duty to keep its constitution under review. This includes all relevant codes and protocols, and the procedure rules for committees.
2. Responsibility for reviewing the Council’s Constitution and making recommendations to Full Council was delegated to the Audit Committee in December 2018. The Monitoring Officer reports to the Audit Committee with updates on the work that is being undertaken to review and update the Council’s Constitution.

Consultation

3. **Internal**
The Party Group Leaders were consulted on the proposed updates to the Council Procedure Rules at their meeting on 22 February 2021. The Whips were consulted at their meeting on 29 February 2021.
4. **External**
Not applicable

Context

5. The Council Procedure Rules govern the way Full Council meetings operate.
6. The Procedure Rules are part of the Council’s Constitution, which is kept under review by the Council’s Monitoring Officer.

Proposal

7. The Audit Committee is asked to consider the proposed updates to the Council Procedure Rules and, subject to any proposed amendments, endorse the revised Council Procedure Rules and recommend to Full Council that the revised Procedure Rules are adopted to come into force following Annual Council.
8. The principal changes to Council Procedure Rules are set out in Appendix 1 and include amendments and clarification to the text to reflect current practice, including removal of rules that do not apply. Insert a new right to reply for the mover of an amendment to a motion. Updates the notice required for public forum statements to provide consistency with the registration to speak deadline and clarifies those eligible to submit public forum, which is currently internally inconsistent within other Procedure Rules and the Petition Scheme.

Other Options Considered

9. None necessary.

Risk Assessment

10. None necessary.

Legal and Resource Implications

Legal

As set out in the report.

Financial

(a) Revenue

Not applicable.

(b) Capital

Not applicable.

Land/Property

Not applicable.

Human Resources

Not applicable.

Appendices:

Appendix 1 – Council Procedure Rules Proposed Amendments

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

Audit Committee Report - Review of the Constitution – March 2019