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**Audit & Governance Committee**

**4 October 2006**

**Report of the Head of Civic, Democratic and Legal Services**

**CONSTITUTIONAL AMENDMENT**

**Summary**

1. This report gives details of a constitutional amendment proposed by the Labour Group in accordance with the requirements of the Constitution for submission to Audit & Governance Committee.

**Background**

2. In April 2006, a revised Constitution was approved by full Council with a commitment for the Head of Civic, Democratic & Legal Services to report back at the appropriate time with any 'snagging' issues.
3. Only two full Council meetings have taken place since the introduction of the new Constitution and with revised Standing Orders in operation, governing how full Council conducts its business. Insufficient time has elapsed to warrant the report back anticipated in 2. above. However, a constitutional amendment has since been received to Standing Orders from Members in line with the new constitutional requirement to submit any such proposals to this Committee.

**Consultation**

4. No public consultation is necessary for what is essentially an organisational matter.

**Options**

5. The options open to Members are simply to recommend approval or refusal of the proposed amendment or to consult the Member proposing the amendment on any suggested revisions to it.

## Analysis

6. The proposed amendment is to Standing Orders 8(2)(a) and 10(a) which currently read as follows:

**Standing Order 8(2)(a):** *“The Executive Member will answer questions on any item in their written report, the time spent on this item shall not exceed 10 minutes. Such questions must relate directly to the report and be received by the Chief Executive in writing on the day before the meeting.”*

**Standing Order 10(a):** *“A member of the Council may ask a question on the Leader’s written report or ask an Executive Member a question upon any item within their portfolio when their portfolio is under consideration by the Council under Standing Order 4(c)(9). Such questions must relate directly to the report in the case of the former and in any event must be received by the Chief Executive not later than the day prior to the Council meeting. The time limit for questions on the report is 10 minutes. The Chair of Council will determine the order in which questions should be put and answered to reflect political balance, public expectation and significance to the Council.”*

7. The proposed amendment is being put by Councillor Merrett and is as follows:

**Standing Order 8 (2) (a)** after the first sentence ending with the words “10 minutes” insert a new sentence with the words “no answer given shall exceed 2 minutes in duration.”

The effect of this amendment would be to make it read as follows:

*The Executive Member will answer questions on any item in their written report, the time spent on this item shall not exceed 10 minutes. **No answer shall exceed 2 minutes in duration.** Such questions must relate directly to the report and be received by the Chief Executive in writing on the day before the meeting*

**Standing Order 10 (a)** in the sixth line after the sentence ending with the words “10 minutes” insert a new sentence with the words “no answer given shall exceed 2 minutes in duration.”

The effect of this amendment would be to make it read as follows:

*A member of the Council may ask a question on the Leader’s written report or ask an Executive Member a question upon any item within their portfolio when their portfolio is under*

*consideration by the Council under Standing Order 4(c)(9). Such questions must relate directly to the report in the case of the former and in any event must be received by the Chief Executive not later than the day prior to the Council meeting. The time limit for questions on the report is 10 minutes. **No answer given shall exceed 2 minutes in duration.** The Chair of Council will determine the order in which questions should be put and answered to reflect political balance, public expectation and significance to the Council*

### **Corporate Priorities**

8. The proposal is not directly related to any of the Council's Corporate Priorities but complies with the Council's constitutional arrangements for processing such amendments.

### **Implications**

9. None of the following implications are directly relevant to this report other than the above constitutional requirement to report it to this Committee:

Human Resources;  
Finance;  
Equalities;  
ITT;  
Property;  
Highways;  
Crime & Disorder

### **Risk Management**

10. There are no risk management implications associated with the report or amendment.

### **Recommendations**

13. Members are asked to consider the proposed amendment and make a suitable recommendation to Council for consideration at its meeting on 5 October 2006.

### **Reason:**

To enable the amendment and Committee's recommendation on it to be considered at the next Council meeting.

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**Report Approved**



**Date** 21..09.06

**Specialist Implications Officer(s)**

None

**Wards Affected:**

All



**For further information please contact the author of the report**

**Background Papers**

None

**Annexes**

None