

Meeting of the Full Council
Meeting to be held on Thursday, 23 February 2023

Report submitted by: Director of Corporate Services

Part A

Electoral Division affected:
None;

Corporate Priorities:
N/A;

Report of the Political Governance Working Group

Contact for further information:

Josh Mynott, Tel: (01772) 534580, Democratic and Member Services Manager,
josh.mynott@lancashire.gov.uk

Brief Summary

Full Council is asked to consider the recommendations of the Political Governance Working Group in relation to:

1. Withdrawing Notices of Motion
2. Budget Full Council agendas
3. Mandatory training for Regulatory Committee members

Recommendation

That Full Council approves that the constitution be amended as set out in the report in relation to:

- (i) The procedures relating to the withdrawal of Notices of Motion.
- (ii) The agenda for the annual budget meeting of Full Council.
- (iii) The requirement that any member sitting on the Regulatory Committee must have undertaken mandatory training relevant to the committee's work.

Detail

The Political Governance Working Group met on 18 January 2022. Amongst the issues considered were:

1. Withdrawing Notices of Motion



2. Budget Full Council agendas
3. Mandatory training for Regulatory Committee members

Withdrawing Notices of Motion

Current Standing Order B34 says:

"A Notice of Motion will be regarded as withdrawn if:

- a) prior to the Council meeting, an indication to this effect is given in writing to the Chief Executive by the Member who submitted the Notice, or
- b) at the Council meeting, oral notice to this effect is given by the Member who submitted the Notice, or
- c) the Notice of Motion is not moved and seconded at the meeting of Council."

The Political Governance Working Group recommend that clarification is required to ensure that the rules reflect standard meeting practice that a motion, once moved, cannot be withdrawn without the consent of the meeting. The proposal is that B34 is reworded as follows (additions in **bold**):

"A Notice of Motion will be regarded as withdrawn if:

- a) prior to the Council meeting, an indication to this effect is given in writing to the Chief Executive by the Member who submitted the Notice, or
- b) at the Council meeting, oral notice to this effect is given by the Member who submitted the Notice **before the motion is moved**, or
- c) the Notice of Motion is not moved and seconded at the meeting of Council.

Once moved, a motion may only be withdrawn with the consent of the meeting. If the mover requests their motion be withdrawn, the request shall be voted on immediately, with no debate"

The Political Governance Working Group further recommend that, under Standing Order B33 ("Motions that cannot be moved"), a further category be added, so the Standing Order would read (addition in **bold**):

"The following motions shall not be accepted by the Chief Executive:

- a) Any Motion which seeks to rescind any resolution or decision which has been passed at a meeting of the Full Council held within the preceding 12 months.
- b) Any Motion which has been voted upon, but not carried within six months of the date of the meeting of the Full Council at which it, or one to the same effect, was voted upon.
- c) Any motion which would require the Council to act in breach of its own Constitution or legislation
- d) Any motion which requires the Council to act in a way that is beyond its powers and responsibilities
- e) is vague and ambiguous
- f) merely expresses an opinion and does not require the Council to adopt a course of action



- g) Any motion with has been withdrawn at the request of the mover or which has failed for not being moved within the last 6 months"**

Budget Full Council Agendas

It is a convention that Questions for Question Time and Notices of Motion are not submitted at the annual Budget meeting of Full Council. It is proposed that this convention is formalised by adding it to the Standing Orders. Standing Order 19 would be amended as follows (addition in **bold**)

- 1) "Subject to Standing Order 19(2) below, the Agenda shall be divided into Part A (Matters for Decision), Part B (Matters for Information) and Part C (Notices of Motion) and the order of business (other than at an extraordinary meeting **or at the annual budget setting meeting**) shall be:
 - a) to appoint a person to preside if the Chairman and Vice-Chairman are absent;
 - b) Councillor Question Time (Standing Order 28 below);
 - c) to confirm the Minutes of the last meeting of the Full Council;
 - d) to deal with Reports of the Cabinet, Committees and Executive Directors, Directors and Heads of Service;
 - e) to consider Notices of Motion in the order in which they have been set out in the agenda. The Chairman may alter the order in which they are discussed at the meeting;
 - f) other business, if any, specified in the Agenda.
- 2) The order of business falling under Standing Orders 19(1) (b) - (e) above may be varied by the Chairman at his/her discretion or by resolution which shall be moved and voted upon without debate.
- 3) The only business to be conducted at an Extraordinary Meeting of the Council shall be the business specified in the summons for the meeting.
- 4) **Councillor Question Time and the consideration of Notices of Motion shall not form part of the agenda at the annual budget setting meeting"**

Regulatory Committee – Mandatory Training

Given the nature of the work of the Regulatory Committee, it is felt that the position of councillors and the council would be supported by mirroring the practice already in place with the Development Control Committee, whereby there is a constitutional requirement for councillors sitting on the committee to have undertaken mandatory training.

This would apply to permanent and temporary (i.e. substitute) members of the committee, which would mean that political groups would need to ensure that sufficient numbers of members attended the training beyond the committee itself to allow for substitutes.

It would be a matter for the Monitoring Officer to determine which training is deemed mandatory, and Councillors would be informed in advance of any mandatory training.

The Political Governance Working Group recommend that the following be added to the Terms of Reference of the Committee. Note that the same wording is used in the Development Control Terms of Reference:



"All members of the Committee must:

- (i) Have undertaken mandatory training on the relevant law and procedures which relate to the Committee's work.
- (ii) Undertake further mandatory training on an ongoing basis whilst they continue to be members of the Committee.

The decision on whether training is mandatory will lie with the Monitoring Officer. All Members will be informed in advance if training is mandatory."

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

There are no significant legal or financial implications.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A

