

# **Audit and Governance Committee**

## **15<sup>th</sup> November 2021**

### **Changing the arrangements for bringing motions on notice to Full Council**

#### **For Recommendation to Council**

**Portfolio Holder:** Cllr S Flower, Leader of the Council

**Local Councillor(s):** All Councillors

**Executive Director:** J Mair, Corporate Director, Legal & Democratic

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**Report Status:** Public

#### **Recommendation:**

That the Committee recommend to Full Council the option set out in paragraph 11.3 of this report

#### **Reason for Recommendation:**

The option in paragraph 11.3 would mean that an officer would no longer decide whether to accept a motion on notice. Setting the threshold of councillor support for a motion on notice at 21 councillors would reflect the significance to be attached to debating an issue at Full Council.

#### **1. Executive Summary**

The Full Council is where all councillors meet, usually in public, to decide the main policies of the Council and to set the budget each year.

Certain decisions are required by law or by the Council's own rules to be made by the Full Council. In addition, the Full Council is the forum to which councillors may bring forward issues of particular significance for debate and decision. The purpose of this paper is to enable the Committee to consider possible changes to

the rules under which councillors can trigger, through motions on notice, a debate at the Full Council.

## **2. Financial Implications**

None

## **3. Well-being and Health Implications**

There are no direct well-being and health implications but, as is also the case with climate change, questions relating to the well-being and health of Dorset's residents are likely to be amongst the significant issues about which councillors may wish to bring forward motions.

## **4. Climate implications**

Please see the comment under well-being and health implications.

## **5. Other Implications**

For local democracy, the reputation and credibility of the Full Council as the forum for debating questions that matter to the communities councillors represent.

## **6. Risk Assessment**

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: Medium

Residual Risk: Low

## **7. Equalities Impact Assessment**

None.

## **8. Appendices**

[Council Procedure Rules.](#)

## **9. Background Papers**

None

## **10. Current Procedure Rules**

- 10.1 Under the heading “Member requests for consideration at Full Council” Procedure Rule 14 describes the arrangements under which 8 councillors, may bring forward a motion for consideration by the Full Council.
- 10.2 Procedure Rule 14.2 describes a valid motion on notice as one about which written notice has been given to the Proper Officer not less than 10 clear working days before the Full Council meeting and which in the opinion of the Proper Officer in consultation with the Chairman:
- (i) is about a topic or issue related to the responsibilities of the Full Council or which directly affects the Council or the district,
  - (ii) is clearly identifiable as a notice of motion;
  - (iii) identifies which of the Members is to be the Proposer and which is to be the Seconder; and
  - (iv) is signed by the Members submitting it (unless submitted by e-mail) and the date it was submitted to the Proper Officer;
- but
- (v) does not relate to the personal affairs or conduct of any individual Member or Officer; nor
  - (vi) contain defamatory, inappropriate or inflammatory language.
- 10.3 Members have not raised concerns about the appropriateness of points (ii) to (vi). Concerns have though been raised about point (i) and whether, in a member led council, an officer should be in the position of deciding if a topic is suitable for debate at a Full Council meeting.
- 10.4 Procedure Rule 14.2 (i) puts the proper officer in a sometimes very difficult position of having to decide whether to accept a motion about which the views of councillors are already divided. The next section of this report sets out possible alternative approaches for consideration.

## **11. Alternatives to the current Procedure Rule**

- 11.1 Reverse the roles of the Proper Officer and the Chairman in procedure rule 14.2: so that the decision is that of the Chairman, after consulting with the proper officer. This would reflect member leadership and accountability but would still leave in place a filter on what motions members could bring forward on notice.
- 11.2 Remove Rule 14.2 (i) and leave the remainder of Rule 14.2 unchanged: this would mean that provided a motion satisfied the other requirements (for instance that it did not contain defamatory language) and had the support of eight councillors it could be brought to council. There would be

no restriction upon the subject matter of a motion other than that eight councillors thought the subject sufficiently important that it should be debated.

Under this proposal a threshold of 8 would represent almost 10% of the membership of the Council. Coupled with the rule that a member may sign up to bring forward only one motion to each meeting of the Council this would mean a maximum of 10 possible motions at any meeting.

- 11.3 Remove Rule 14.2 (i) altogether and increase to 21 the number of councillors needed to support a motion on notice: we could iterate a range of alternative numbers but 21 has some legitimacy as the number needed for a meeting of the Council to be quorate. As with the option in paragraph 11.2 there would be no officer filter and provided a motion attracted the required support and satisfied procedural requirements it could be debated. However, recognising that only the most significant issues should warrant time at Full Council the threshold of support needed to bring forward a motion on notice would be 21.

Under this proposal a threshold of 21 would exceed 25% of the membership of the Council. Coupled with the rule that a member may sign up to bring forward only one motion to each meeting of the Council this would mean a maximum of three possible motions at any meeting.

- 11.4 Members might prefer another iteration of the numbers set out in the options in paragraphs 11.2 and 11.3. My recommendation is that members should support paragraph 11.3 as the appropriate threshold, recognising that only the most significant issues should warrant a debate at Full Council.