

PROPOSED CONSTITUTIONAL AMENDMENTS

Proposed amendments to the Constitution recommended by the Standards and Constitutional Oversight Working Group.

Amendment No. 1 – Change of Ordinary Council Meeting Times (Start 6.00pm and Finish 9.15pm) Amendment No. 2 – Commencement time for Matters Requiring Approval and Debates (NOMs)		
Council Constitution Section	Current Provision	Proposed Amendment
Part 4 – Rules of Procedure Section 1 Council Procedure Rules Page 148	Standing Order 1(2) – Meetings of the Council (1) The Annual Meeting shall be held at 7.00 pm or at such other time as the Council decides, at the Town Hall, Wallasey, or at such other place as the Council decides, and ordinary meetings of the Council shall be held at 6.15 pm, or at such other time decided by the Head of Legal and Member Services after consultation with the Leader of the Council, at the Town Hall, Wallasey. (2) Each ordinary meeting of the Council shall be concluded by 9:00pm on the day of the meeting in accordance with the procedure contained in Standing Order 9, unless the Council agrees to suspend that standing order before it comes into operation at the meeting.	Standing Order 1(2) – Meetings of the Council (1) The Annual Meeting shall be held at 7.00 pm or at such other time as the Council decides, at the Town Hall, Wallasey, or at such other place as the Council decides, and ordinary meetings of the Council shall be held at 6.00pm , or at such other time decided by the Head of Legal and Member Services after consultation with the Leader of the Council, at the Town Hall, Wallasey. (2) Each ordinary meeting of the Council shall be concluded by 9:15pm on the day of the meeting in accordance with the procedure contained in Standing Order 9, unless the Council agrees to suspend that standing order before it comes into operation at the meeting.

Page 154	<p>Standing Order 9 - Conclusion of Council Meeting</p> <p>(1) If the Council has not disposed of all Business by 9.00 pm on the day of the meeting it shall dispose of the item then under consideration as if the motion 'That the question be now put' had been carried, i.e. the debate shall be concluded by the seconder and by the Member who has the right of reply (see Standing Order 12(14)(b) below).</p>	<p>Standing Order 9 - Conclusion of Council Meeting</p> <p>(1) If the Council has not disposed of all Business by 9.15pm on the day of the meeting it shall dispose of the item then under consideration as if the motion 'That the question be now put' had been carried, i.e. the debate shall be concluded by the seconder and by the Member who has the right of reply (see Standing Order 12(14)(b) below).</p>
<p>Part 4 – Rules of Procedure</p> <p>Section 1</p> <p>Council Procedure Rules</p> <p>Page 150</p>	N/a	<p>Standing Order 5(5) – Order of Business (Council Meetings)</p> <p>Council shall conclude all business other than:</p> <ul style="list-style-type: none"> i. motions (and amendments thereto) to be debated pursuant to Standing Order 7; and ii. any urgent business agreed by the Civic Mayor <p>by no later than 7.15pm (unless otherwise permitted by the Civic Mayor).</p>

Amendment No. 3 - Only Proposer and Seconder required to sign Notice of Motion

Amendment No. 4 - Change of Order for dealing with Notices of Motion

Amendment No. 5 – Submission of Amendments to Notices of Motion

<p>Part 4 – Rules of Procedure</p> <p>Section 1</p> <p>Council Procedure Rules</p> <p>Page 153</p>	<p>Standing Order – Rule 7(1) Notices of Motion</p> <p>Subject to Standing Order 17, notice of every motion except of one under Standing Order 8 shall be given in writing, signed by the member in whose name it stands and by at least five other members and delivered no later than the Monday of the second week before each ordinary meeting of the Council to the Head of Legal and Member Services, who shall arrange for it to be dated, numbered in the order in which it is received, and entered in a book which shall be open to inspection by every member of the Council.</p>	<p>Standing Order – Rule 7(1) Notices of Motion</p> <p>Subject to Standing Order 17, notice of every motion except of one under Standing Order 8 shall be given in writing, signed by the Elected Member in whose name it stands (“the Proposer”) and seconded by another Elected Member (“the Seconder”) no later than the Monday of the second week before each ordinary meeting of the Council to the Head of Legal and Member Services,</p>
<p>Part 4 – Rules of Procedure</p> <p>Section 1</p> <p>Council Procedure Rules</p> <p>Page 153</p>	<p>Standing Order – Rule 7(2) Notices of Motion</p> <p>The Head of Legal and Member Services shall set out in the Summons for every meeting of the Council all motions of which notice has been duly given, in the order in which they have been received, unless the member giving such a notice has since withdrawn it in writing.</p>	<p>Standing Order – Rule 7(2) Notices of Motion</p> <p>The Head of Legal and Member Services shall set out in the Summons for every meeting of Ordinary Council all motions of which notice has been duly given under Standing Order 7(1) and to be debated (as determined under Standing Order 7(4)) in the following order, unless the Proposer of the motion has since withdrawn it in writing:</p> <p>1. Largest Political Group Notice of Motion;</p>

		<ol style="list-style-type: none"> 2. Second largest Political Group Notice of Motion; 3. Third largest Political Group Notice of Motion; 4. A Notice of Motion not received from a Political Group; 5. The order above thereafter to be repeated.
<p>Part 4 – Rules of Procedure Section 1</p> <p>Council Procedure Rules Page 153</p>	<p>Standing Order – Rule 7(6) Notices of Motion</p> <p>A member of the Council who has moved a motion which has been referred to any committee shall be given notice of the meeting at which it is to be considered. The members shall have the right to attend the meeting and an opportunity of explaining the motion.</p>	<p>Standing Order – Rule 7(6) Notices of Motion</p> <p>The Proposer and Seconder of a motion which has been referred to the executive or any committee shall be given notice of the meeting at which it is to be considered. Either the Proposer or Seconder shall have the right to attend the meeting and an opportunity of explaining the motion.</p>
<p>Part 4 – Rules of Procedure Section 1</p> <p>Council Procedure Rules Insert at Page 154</p>	N/a	<p>New Standing Order – Rule 7(9) Notices of Motion</p> <p>All amendments to motions submitted under Standing Order 7(1) and to be debated (as determined under Standing Order 7(4)) must be submitted to the Head of Legal and Member Services by 10.00am on the Friday immediately preceding the Ordinary Council meeting at which the motion is to be debated. All such amendments shall be published by the Head of Legal and Member Services.</p>

Amendment No. 6 – Procedure for Dealing with Referred Notices of Motion

<p>Part 4 – Rules of Procedure</p> <p>Section 1</p> <p>Council Procedure Rules</p> <p>Insert at Page 154</p>	<p>N/a</p>	<p>New Standing Order – Rule 7(10) Notices of Motion</p> <p>In the case of a Notice of Motion being referred to the Leader, Cabinet or a Committee of the Council by the Civic Mayor, the Standards and Constitutional Oversight Committee shall determine the procedure for how such a referral shall be dealt with.</p>
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Amendment No. 7 – Public and Member Question Time (Reduce allocation of time and change how questions are asked)

<p>Part 4 – Rules of Procedure</p> <p>Section 1</p> <p>Council Procedure Rules</p> <p>Page 156</p>	<p>Standing Order 11 - Restrictions and time limits on questions</p> <p>(a) Any question shall be limited to 2 minutes.</p> <p>(b) The total number of questions on any one report shall not usually exceed five.</p> <p>(c) Responses to any question will be reserved to the conclusion of all the questions on a particular report, when all the questions will be answered individually or as a composite response as appropriate.</p> <p>(d) Any response to questions on a particular report shall not exceed ten minutes.</p>	<p>Standing Order 11 - Restrictions and time limits on questions</p> <p>(a) Any question shall be limited to 2 minutes.</p> <p>(b) Questions by members on written report submitted under Standing Order 5(2)(h) may be asked in any order – the total number of questions on any one report shall not usually exceed five.</p> <p>(c) Response to questions should be brief, succinct and to the point.</p> <p>(d) The total time allocated to member questions and responses on the written reports submitted under Standing Order 5(2)(h) shall not exceed 30 minutes.</p>
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	<ul style="list-style-type: none"> (e) The total time allocated to members questions shall not exceed one and a half hours. (f) The Mayor will broadly endeavour to call members and allocate the time for questions such that each political party has that proportion of the time which reflects their relative membership of the council. (g) The Mayor as an exception may agree to an extension of these numbers and time limits. 	<ul style="list-style-type: none"> (e) Where a verbal response cannot be provided to any question asked by a member under Standing Order 10(2), a written response shall be provided within 10 working days thereafter. (f) The Civic Mayor will broadly endeavour to call members and allocate the time for questions fairly and equitably. (g) The Civic Mayor as an exception may agree to an extension of these numbers and time limits.
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Amendment No. 8 – Order of Business (Council Meetings)

<p>Part 4 – Rules of Procedure Section 1</p> <p>Council Procedure Rules</p> <p>Page 149-150</p>	<p>Order of Business (Council Meetings)</p> <ul style="list-style-type: none"> (1) This Standing Order shall be subject to Standing Order 5A below as respects Annual Meetings of the Council. (2) Subject to paragraph (3) below, the order of business at every meeting of the Council shall be as follows: <ul style="list-style-type: none"> (a) to choose a person to preside if the Mayor and Deputy Mayor are absent; (b) to receive the Mayor's announcements; (c) to deal with any business required by statute to be done before any other business; (d) to receive petitions without debate in accordance with Standing Order 21; (e) to deal with questions from members of the 	<p>Order of Business (Council Meetings)</p> <ul style="list-style-type: none"> (1) This Standing Order shall be subject to Standing Order 5A below as respects Annual Meetings of the Council. (2) Subject to paragraph (3) below, the order of business at every meeting of the Council shall be as follows: <ul style="list-style-type: none"> (a) Selection of Chairperson - to choose a person to preside if the Civic Mayor and Deputy Civic Mayor are absent; (b) Declarations of Interest - to receive declarations of interest from Members; (c) Civic Mayor's Announcements - to receive the Civic Mayor's announcements; (d) Minutes - to approve as a correct record and sign the minutes of the last meeting of the
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	<p>public in accordance with the procedure set out in Appendix 1 to these standing orders;</p> <p>(f) to approve as a correct record and sign the minutes of the last meeting of the Council;</p> <p>(g) to dispose of business (if any) remaining from the previous meeting;</p> <p>(h) to receive the written reports of the Leader and the Cabinet Members and the Chairs of the Policy & Performance Committees and receive questions and answers on any of those reports;</p> <p>(i) to consider any recommendations of the Leader / Cabinet and Committees which require the approval of the Council;</p> <p>(j) to deal with questions in accordance with Standing Order 11;</p> <p>(k) to deal with any references from the Policy and Performance Committees;</p> <p>(l) to consider and decide upon active petitions referred to Council for debate under Standing Order 34(1); on a motion to be formally moved by the Mayor and duly seconded to note the contents of the petition;</p> <p>(m) to deal with any other business, if any, specified in the Summons;</p> <p>(n) to consider any notices of motion submitted in accordance with Standing Order 7 which the Council agrees should be debated rather than being referred to the Leader or the appropriate Committee(s).</p>	<p>Council;</p> <p>(e) Business Required by Statute - to deal with any business required by statute to be done before any other business;</p> <p>(f) Outstanding Business - to dispose of business (if any) remaining from the previous meeting;</p> <p>(g) Petitions - to receive petitions without debate in accordance with Standing Order 21;</p> <p>(h) Petitions - to consider and decide upon active petitions referred to Council for debate under Standing Order 34(1); on a motion to be formally moved by the Civic Mayor and duly seconded to note the contents of the petition;</p> <p>(i) Public Questions - to deal with questions from members of the public in accordance with the procedure set out in Appendix 1 to these standing orders;</p> <p>(j) Leader's, Executive Members' and Chair's Reports - to receive the written reports of the Leader and the Cabinet Members and the Chairs of the Policy & Performance Committees and receive questions and answers on any of those reports in accordance with Standing Order 10(2)(b);</p> <p>(k) Members' Questions - to deal with Members questions in accordance with Standing Order 10(2)(a);</p> <p>(l) Matters Referred from Policy and Performance Committee or Other Council Committees - to deal with any references from the Policy and Performance Committee or</p>
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	<p>(3) The order of items (a), (b), (c), and (d) of paragraph (1) cannot be changed. The order of other items may be varied:</p> <p>(a) at the discretion of the Mayor; or (b) by a resolution duly moved and seconded, without discussion.</p> <p>(4) Notices of motion shall be dealt with in the order in which they are received.</p>	<p>other Council Committees;</p> <p>(m) Vacancies – to receive nominations, in accordance with Standing Order 25(6) in respect of proposed changes in the membership of Committees or appointments to outside organisations;</p> <p>(n) Matters Requiring Approval or Consideration by the Council - to consider any recommendations of the Leader / Cabinet and Committees which require the approval of the Council;</p> <p>(o) Notices of Motion - to consider any notices of motion submitted in accordance with Standing Order 7 which the Council agrees should be debated rather than being referred to the Leader or the appropriate Committee(s).</p> <p>(p) Other Business that the Mayor Considers Urgent - to deal with any other urgent business.</p> <p>(3) The order of items (a - f) of paragraph (1) cannot be changed. The order of other items may be varied:</p> <p>(a) at the discretion of the Civic Mayor; or (b) by a resolution duly moved and seconded, without discussion.</p> <p>(4) Notices of Motion shall be dealt with in the order in which they are received (unless otherwise stated within this Constitution).</p>
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Amendment No. 9 – Speeches, restrictions and time limits

Part 4 – Rules of Procedure Section 1

Council Procedure Rules

Page 157

12(1) Speeches, restrictions and time limits

A member shall direct any speech to the matter under discussion or to a point of order as defined in paragraph (15) of this standing order. The following time limits shall apply to speeches:-

- (a) the Chair, Cabinet Member or mover of the motion - not exceeding 7 minutes;
- (b) the seconder of the motion or notice of motion - not exceeding 3 minutes;
- (c) the Chair, Cabinet member or the mover of the motion, having the right to reply - not exceeding 7 minutes;
The Chair having the right to reply shall be entitled to give an explanation immediately after the motion has been moved and seconded but the total time allowed for the explanation and for the reply at the end of the debate shall not exceed 7 minutes.
- (d) any other speakers - not exceeding 3 minutes. The Mayor as an exception may agree to an extension of these time limits for a period or successive periods of 2 minutes.

12(2) Speeches, restrictions and time limits

A member shall direct any speech to the matter under discussion or to a point of order as defined in paragraph (15) of this standing order. The following time limits shall apply to speeches:-

- (a) the Chair, Cabinet Member or mover of the motion - not exceeding **5 minutes**;
- (b) the seconder of the motion or notice of motion - not exceeding 3 minutes;
- (c) the Chair, Cabinet member or the mover of the motion, having the right to reply - not exceeding **3 minutes**;
The Chair having the right to reply shall be entitled to give an explanation immediately after the motion has been moved and seconded but the total time allowed for the explanation and for the reply at the end of the debate shall not exceed **5 minutes**;
- (d) any other speakers - not exceeding 3 minutes. The **Civic** Mayor as an exception may agree to an extension of these time limits for a period or successive periods of 2 minutes.

Amendment No. 10 – Call In

Part 4 – Rules of Procedure Section 1

Council Procedure Rules

Page 167

CALL-IN

Current Call-In Rules (Standing Order 35) set out at Annex A

Proposed Revisions

All call-ins to commence at 4:00pm unless otherwise agreed by the Chairperson.

1. A call-in panel be established consisting of nine (9) members of the Co-Ordinating Committee (including deputies) to hear all call-ins. A Panel of nine (9) members ensures all three parties have at least one seat (i.e ratio 5:3:1).
2. There be no provision for Minority Reports to be referred to Council.
3. Should a call-in be adjourned part-heard it must be convened within 7 working days thereafter otherwise it shall be abandoned and a new panel convened within 7 working days.
4. The panel shall be quorate if 6 members are in attendance.

Revised Call-In Rules (Standing Order 35) set out at Annex B

Amendment No. 11 – Employment and Appointments Committee (Terms of Reference)

<p>Responsibility for Functions</p> <p>Table 2 – Responsibility for Council Functions (Table)</p> <p>Page 63</p>	<p>Membership</p> <p>8 Members of the Authority</p> <p>Where the matter to be considered relates to the dismissal of the Head of Paid Service, Monitoring Officer or Chief Finance Officer, the Employment and Appointments Committee membership shall include a minimum of two Independent Persons on the Committee as determined and defined by The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 (SI 2015/881) or as may be amended from time to time.</p> <p>Functions</p> <p>Appointment of Chief Officers and Deputies.</p> <p>To act as the Appeals Body in respect of misconduct of chief officers.</p> <p>Functions relating to Pensions as an Employer.</p> <p>To provide advice, views or recommendations to Full Council on a matter proposing the dismissal of the Head of Paid Service, Monitoring Officer or Chief Finance Officer in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 (SI 2015/881) or as may be amended from time to time.</p>	<p>Include:</p> <p>To approve, amendment and/or revise Council employment/ workforce policies and schemes.</p> <p>To monitor and exercise oversight of workforce performance and management matters.</p> <p>The Chairperson shall, in consultation with Party Spokespersons and the Head of Human Resources and Organisation Development, have authority to make minor amendments to employment/workforce policies and schemes.</p>
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Amendment No. 12 - Technical amendments

<p>SCHEDULE 4A PART 2 para (1) Page 123 - 133</p>	<p>N/a</p>	<p>[Insert] 'Control of Horses Act 2015'</p>
	<p>Mobile Homes Act 2010</p>	<p>Mobile Homes Act 2013</p>
	<p>(4) (a) Personally or, where legislation requires it, through the Trading Standards Manager authorise suitably qualified members of staff in the Trading Standards Division to carry out enforcement functions as authorised officers under trading standards, consumer and related legislation;</p>	<p>(4) (a) Personally or, where legislation requires it, through the Senior Manager Trading Standards or Trading Standards Operations Manager (or equivalent post holders) authorise suitably qualified members of staff in the Trading Standards Division to carry out enforcement functions as authorised officers under trading standards, consumer and related legislation;</p>
	<p>(4) (b) personally or through the Senior Manager (Trading Standards) authorise the commencement of legal proceedings on behalf of the Council under trading standards, consumer and related legislation;</p>	<p>(4) (b) personally or through the Senior Manager Trading Standards or Trading Standards Operations Manager (or equivalent post holders) authorise the commencement of legal proceedings on behalf of the Council under trading standards, consumer and related legislation;</p>
	<p>(4) (d) authorise the post-holders listed below, in the Trading Standards Division, to charge alleged offenders in police stations:</p> <p>Trading Standards Manager Divisional Officer (Business Support) Divisional Officer Community Support and Regulation);</p>	<p>(4) (d) authorise the Trading Standards Operational Manager (or equivalent post holder) to charge alleged offenders in police stations:</p> <p>.</p>

	The Head of Regeneration and Planning, assisted by the Development Management Manager has authority to determine <u>all</u> minor and other applications submitted by or on behalf of the Borough Council other than those listed under (A) below;	The Head of Regeneration and Planning, assisted by the Development Management Manager to determine on behalf of the Council all minor and other applications, including those submitted by the authority, excluding those applications listed under (A) below;
	(iii) To exercise all the powers and duties of the Council arising under the provisions of Safety of Sports Grounds Act 1975 in relation to the issuing of notices prohibiting the admission of spectators to sports grounds and make agreed amendments to safety certificates.	Remove provision from Head of Regeneration and Planning responsibility area. Transfer provision to Head of Corporate & Community Safety.
SCHEDULE 4A PART 2 para (1) Page 123	N/a	[Insert] after first paragraph ending with words 'with express delegations below', the following paragraph: The delegations below may be exercised by any Council Officer duly authorised by the post holder to whom the delegation(s) have been given or by any other person duly authorised by the Chief Executive or Head of Legal and Member Services.