

CONSTITUTION AND STANDARDS COMMITTEE

Wednesday, 22 February 2023

REPORT TITLE:	AMENDMENTS TO THE COUNCIL PROCEDURE RULES
REPORT OF:	DIRECTOR OF LAW AND GOVERNANCE

REPORT SUMMARY

This report provides a summary of the discussions held by the Governance Working Group in respect to the Council Procedure Rules and the consideration of Motions on Notice at Council Meetings.

This matter affects all wards. This is not a key decision.

The report contributes to the delivery of all five Wirral Plan 2021-2026 Priorities by ensuring that the Council's decision-making process is as effective as possible.

RECOMMENDATION/S

The Constitution and Standards Committee is recommended to consider whether they wish to make a recommendation to the Council to alter the Council Procedure Rules in respect to:

- Standing Order 14 (l) that the meeting continues beyond 3 hours in duration (2 in the case of an extraordinary meeting)
- Standing Order 13.1 - so as to restrict the number of Motions on Notice submitted to one per political group
- Standing Order 13.2 – in respect to the order in which Motions on Notice are debated

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 The Governance Working Group heard feedback from each of the Political Groups and the Mayor, and determined that there were three matters which warranted further consideration by the Constitution & Standard Committee.
- 1.2 The matters identified by the Governance Working Group were:
 - Standing Order 14 (l) that the meeting continues beyond 3 hours in duration (2 in the case of an extraordinary meeting)
 - Standing Order 13.1 - so as to restrict the number of Motions on Notice submitted to one per political group
 - Standing Order 13.2 – in respect to the order in which Motions on Notice are debated

2.0 OTHER OPTIONS CONSIDERED

- 2.1 The Constitution & Standards Committee could decide that having considered the matters referred to in section 1.2 of the report, that they do not deem it necessary to make a recommendation to the Council to amend the Council Procedure Rules and that they remain unchanged

3.0 BACKGROUND INFORMATION

- 3.1 The Council Procedure Rules are set out in Part 4, Section 1 of the Constitution which details the framework for the administrative conduct of the Council and its committees, including Standing Orders, Procedure Rules at meetings.
- 3.2 Following the review undertaken by the Governance Working Group in the 2021/2022 municipal year on the Committee System, the Governance Working Group determined that for the current municipal year they would give consideration to the Council Procedure Rules especially as they related to the debate on Motions on Notice.
- 3.3 Three meetings of the Working Group were held over the autumn and winter. The Group considered information provided by the Local Government Association, how other comparable authorities conducted their Council Meetings as well as feedback from each of the political groups and the current Mayor of Wirral.
- 3.4 At their last meeting on the 25th January 2023, the Working Group concluded that there were three matters which required debate by the Constitution & Standards Committee which are detailed in section 1.2 of the report.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no financial implication arising from the recommendations detailed in this report.

5.0 LEGAL IMPLICATIONS

- 5.1 Part 3, Section A of the constitution detailed those functions which are reserved to the Council Meeting. Point 2 (k) stipulates those significant changes to the Council's Constitution, include adopting and amending standing orders, Rules of Procedure, Contract Procedure Rules, Financial Regulations, Codes and Protocols that make up the Constitution.
- 5.2 Should the Constitution & Standards Committee conclude that the Council Procedure Rules be amended, then a recommendation must be made to the Council for a final decision.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 There are no implications arising from the recommendations detailed in this report.

7.0 RELEVANT RISKS

- 7.1 There are no foreseen risks arising from the recommendations detailed in this report.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 The Governance Working Group considered information and views from the Director of Law & Governance, Political Groups, the Mayor of Wirral and the Local Government Association.

9.0 EQUALITY IMPLICATIONS

- 9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.
- 9.2 There are no direct equality implications arising from this report.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 There are no direct environment and climate implications arising from this report

11.0 COMMUNITY WEALTH IMPLICATIONS

- 11.1 There are no direct community wealth implications arising from this report.

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APPENDICES

None

BACKGROUND PAPERS

Council Constitution

TERMS OF REFERENCE

This report is being considered by the Constitution and Standards Committee in accordance with Section 11.2(a) of its Terms of Reference, to keep the Council's constitutional arrangements under review and to make recommendations as to amendments and improvements to the Council's Constitution, including the codes and protocols.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Council	May 2022