



Report to the Protocol Committee - Review of Standing Orders 2021

Introduction:

The Standing Orders Working Group was asked by the Elected Members to review the existing procedures relating to the management of business on the Council agenda and in particular how motions are dealt with. The Group has met on several occasions over the course of 2021 and considered a variety of options. The following recommendations are designed to improve the effectiveness of Council meetings as well as addressing concerns regarding the length of time allocated to motions on notice and the multiplicity of emergency motions.

The goal is to achieve a balance between fulfilling the statutory obligations of Councillors while at the same time allowing members to discuss issues relevant to them and their communities. Standing Orders is an adaptable document and the Working Group will continue to review its operation on an ongoing basis in light of the implementation these recommendations.

Guidelines for the Effective Management of Council meetings:

1. It is recommended that all Strategic Policy, Area and Joint Policing Committees agree a standard length of time for their meetings which would be approved by a majority of Members. An option to extend the meeting by a maximum of 30 minutes would be available with the agreement of a majority of Members present. The decision to extend the meeting shall be taken no later than 15 minutes before the scheduled conclusion of the meeting. Committees will also be encouraged to be more proactive in terms of specific procedures to manage their meetings e.g. allocate a maximum time for each item on the agenda, limit the number of presentations per meeting, limit the time allocated for each presentation and for presentations to be circulated in advance of the meeting, etc.
2. It is recommended that Area Committee Breviates and Joint Policing Committee Breviates are amalgamated into a single combined report. The content of the breviate would not change. However, it would serve to reduce the number of items and reports listed on the agenda thereby improving time management of the meeting. (To be reviewed in 6 months with the option to include SPC in this process if successful)
3. Lord Mayor's Business to be limited to 10 minutes and relevant to the role of the LM.
4. The consideration of Reserved Functions, Management Reports and Breviates shall be concluded by 8.30pm. Those items that require a decision of Council would be listed first. The Housing Supply and Delivery report to be the first item listed after the Reserved Functions.

Motions on Notice:

5. 1 hour will be set aside for motions from 8.30 – 9.30pm (To be reviewed in 6 months)
6. Motions on notice will be dealt with between 8.30 – 9.10pm
7. The time allocated to speakers will be 2 minutes for the proposer plus 1 minute at close of debate and 90 seconds for all other speakers taken by group first.
8. The debate will conclude following a maximum of 20 minutes after which the motion will then be put to a vote.
9. If Members agree to take a Topical Issue for debate it will be dealt with at 8.30pm in place of motions on notice and will conclude no later than 9.10pm.

Emergency Motions:

10. Emergency motions will be considered from 9.10 p.m. – 9.30 p.m.
11. A Councillor may propose or second one emergency only for each monthly meeting.
12. The time allocated to speakers will be 90 seconds each. Councillors will speak by group and then open to other interested speakers
13. The debate will conclude following a maximum of 20 minutes after which the motion will then be put to a vote. Emergency Motions will continue to require 2/3 of Members support for approval as under existing standing orders

Operation of Section 132 of the Local Government Act 2001 – Second Legal Opinion:

14. To facilitate the obtaining of second Legal opinions under Section 132 of the LGA 2001 it is proposed that a Section 132 motion should be delivered to the Chief Executive's Department requesting a second legal opinion in specified terms at least 7 days before a Council Meeting but before the agenda is issued. The members will have already received a legal opinion and the matter will be in relation to the exercise or performance of a reserved function as set out in Section 132 (2) (a). The wording of the Section 132 motion with the signatories of those requesting the second legal advice would then be listed for decision in the governance section of the agenda. Where the terms of the resolution were not agreed by Council or not sufficiently specified in the Section 132 Motion the matter would be referred to the Protocol Committee to agree the terms. This process does not preclude the capacity of Members to request second legal opinion on a matter before Council for discussion. ** The exact wording of this piece may change following consultation with the Law Agent.*

Attached to this report are the Draft Standing Orders 2021 which reflect the changes outlined in this report. The following Standing Orders have been amended 14, 15, 19, 26, 29, 35, 37, 48 and 58. If agreed by the Protocol Committee they will be presented to the City Council at the May Council meeting for adoption. The making of Standing Orders is a reserved function and requires assent of over half the elected members. The Draft Standing Orders 2021 will become effective immediately on adoption by the City Council.

Cllr. Anne Feeney
Chairperson
26th April 2021

