

Chichester District Council

Corporate Governance and Audit Committee

23 January 2020

Full Council

28 January 2020

Motions Procedure

1. Contact

Report Author

Nicholas Bennett – Monitoring Officer and Divisional Manager for Democratic Services

Telephone: 01243 534657 email: nbennett@chichester.gov.uk

Lisa Higenbottam – Democratic Services Manager

Telephone: 01243 534684 email: lhigenbottam@chichester.gov.uk

2. Recommendation to Council:

- 2.1. **That the Constitution be amended to replace the current Motions guidance with the revised Motions Procedure as set out in the Appendix to this report.**
- 2.2. **That the time permitted at Full Council for “Questions to the Executive” be reduced from 45 to 30 minutes.**

3. Background

- 3.1. Since the May 2019 elections the ability for members to submit motions to Full Council has been utilised much more than in previous years. Whilst this is to be welcomed as it demonstrates greater member engagement, it has also highlighted the need to revise and expand on the guidance for submitting motions as detailed in the Constitution. This has not been updated for a very long period of time and following some challenges in managing the process this report suggests some changes to ensure that the council has a clear motions procedure in order to operate effectively into the future.
- 3.2. The Constitutions of West Sussex County Council, Horsham District Council and Arun District Council have all been considered.

4. Amendments to the procedure

- 4.1. The current guidance as detailed in part 4, section 18, page 97 of the Constitution offers limited instruction to members.
- 4.2. To overcome this issue the new procedure recommends a series of steps to submit a motion.
- 4.3. The new procedure also outlines alternative delegations in the event of member or officer absence.

4.4. Recent Council meetings have been much longer, due largely to Councillor motions. In order to mitigate this the new proposal includes two specific measures to enable the Chairman to manage the length of Council meetings:

4.4.1. The time permitted for motions to be restricted to 30 minutes in total, and

4.4.2. Questions to the Executive to be reduced from the current 45 minutes to 30 minutes in total.

5. Alternatives Considered

5.1. Consideration was given to leaving the guidance as it is however it currently offers minimal information and clarity to members and officers. By making the changes it is felt that the guidance provides a basis for good decision making in line with the Wednesbury principles.

5.2. It would not be against the law to leave our process unchanged but the benefits of clarity are thought to make the existing procedure inferior to the recommendation set out in the appendix.

6. Resource and Legal Implications

6.1. None other than those set out in the body of this report.

7. Consultation

7.1. The proposals have been shared with the political group leaders and the council's senior leadership team.

8. Community Impact and Corporate Risks

8.1. None.

9. Other Implications

| Are there any implications for the following? | | |
|--|-----|----|
| If you tick "Yes", list your impact assessment as a background paper in paragraph 13 and explain any major risks in paragraph 9 | | |
| | Yes | No |
| Crime and Disorder The Council has a duty "to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area". Do the proposals in the report have any implications for increasing or reducing crime and disorder? | | ✓ |
| Climate Change and Biodiversity Are there any implications for the mitigation of/adaptation to climate change or biodiversity issues? If in doubt, seek advice from the Environmental Strategy Unit (ESU). | | ✓ |
| Human Rights and Equality Impact You should complete an Equality Impact Assessment when developing new services, policies or projects or significantly changing existing ones. For more information, see Equalities FAQs and guidance on the intranet or contact Corporate Policy. | | ✓ |
| Safeguarding and Early Help The Council has a duty to cooperate with others to safeguard children and adults at risk. Do these | | ✓ |

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| proposals have any implication for either increasing or reducing the levels of risk to children or adults at risk? The Council has committed to dealing with issues at the earliest opportunity, do these proposals have any implication in reducing or increasing demand on Council services? | | |
| <p>General Data Protection Regulations (GDPR) Does the subject of the report have significant implications for processing data likely to result in a high risk to the rights and freedoms of individuals? Processing that is likely to result in a high risk includes (but is not limited to):</p> <ul style="list-style-type: none"> • systematic and extensive processing activities and where decisions that have legal effects – or similarly significant effects – on individuals. • large scale processing of special categories of data or personal data relation to criminal convictions or offences. • Any larger scale processing of personal data that affects a large number of individuals; and involves a high risk to rights and freedoms eg based on the sensitivity of the processing activity. • large scale, systematic monitoring of public areas (including by CCTV). <p>Note - If a high risk is identified a Privacy Impact Assessment must be provided to the Data Protection Officer.</p> | | ✓ |
| <p>Health and Wellbeing The Council has made a commitment to ‘help our communities be healthy and active’. You should consider both the positive and negative impacts of your proposal on the health and wellbeing of communities and individuals living and working in the district. Is your proposal likely to impact positively or negatively on certain groups and their ability to make healthy choices, for example low income families, carers, older people/children and young people. Are there implications that impact on areas of the district differently? eg the rural areas or those wards where health inequalities exist. If in doubt ask for advice from the Health and Wellbeing team.</p> | | ✓ |
| Other (please specify) | | ✓ |

10. Appendices

10.1. Motions Procedure

11. Background Papers

11.1. [Chichester District Council Constitution](#)

11.2. [West Sussex County Council Constitution](#)

11.3. [Horsham District Council Constitution](#)

11.4. [Arun District Council Constitution](#)