

**REVISED CONSTITUTION – STANDING ORDERS
(FORMERLY COUNCIL PROCEDURE RULES)
PROPOSED CHANGES AND COMMENTARY**

	PROPOSED CHANGE	COMMENT
1.	Title – change to “Standing Orders”.	A reversion to “Standing Orders” is proposed as this is better understood as a term than “Council Procedure Rules”, which was introduced with the national model Constitutions but never really adopted in common usage. Further, since then, some mandatory rules are expressly referred to as “Standing Orders”.
2.	General – use of “Chief Executive” for most administrative duties.	This gives more clarity and resilience on detailed constitutional functions, particularly given frequency of restructures.
3.	S.O. 1.1.3 - “appoint” not elect the Deputy Mayor.	Reflects the legislation.
4.	S.O.3 – Extraordinary meetings: Additional wording regarding statutory officers and councillors’ statutory rights.	Reflects the legislation.
5.	S.O.4 – Duration of meetings: all substantive decisions to be deferred where a meeting has ended before the close of the agenda.	The current S.O. envisaged taking decisions without discussions and could place the Council in a position of weakness if challenged.
6.	S.O.8 – Public Questions: to be available to residents of the borough and those running a business in the borough.	This is a sensible qualification which is line with most Councils’ approach to these schemes.

7.	S.O.9 – Petitions: to be available to residents of the borough and those running a business in the borough. Presentation of a petition by a member of the public to be limited to presenting it and reading the heading.	The current S.O. reflects a national petition scheme which was withdrawn. The amendments give it a local focus and provide a procedure which should encourage a more informed debate.
8.	S.O. 10 – Questions by Members: A reference to Ward Matters has been added to the title. 10.1.2 is unnecessary given that the right is only to ask the question. 10.2.1: three clear working days' notice.	Clarification Clarification. Consistency with public questions and giving more time to prepare responses should improve quality.
9.	S.O. 11.5 – The additional words enable the Mayor to make available 'unused' time from the one hour allocation for Members' Questions and Ward Matters to be applied to debating motions, if necessary.	This provides the Mayor with a flexible method of allowing additional time for debating motions.
10.	S.O. 13: Rules of Debate 13.1: Early confirmation of a seconder of a motion is sensible in avoiding wasting time on a un-seconded motion. 13.6.7: Ability of mover and seconder of the original motion to 'accept' an amendment and retain ownership of the motion. 13.9: Rights of reply at the close of debate have been changed to reflect common Council practice. Flow charts for a main motion debate and an amendment debate have been created.	Sensible time management. The amendment is intended to reflect a local practice at Council meetings which was not in accordance with the Council Procedure Rules. The changes recognise that an amendment debate should be treated as a debate in its own terms and that, when an amendment succeeds, 'ownership' of the amended (substantive) motion passes to the mover of the successful amendment. These are intended to clarify the application of complex rules of debate.
11.	S.O. 14.1: 6 month rule, 25% of members to apply at Committee	The current Standing Order is drafted on the basis of 10 councillors for a Council meeting. The proposed 25% formula is

		intended to broadly equate to this at Committee.
12.	S.O. 15.4 – Recorded Vote: if members want a recorded vote the change clarifies that it should be requested before the vote is taken.	Clarification.
13.	S.O.21 – Suspension of S.Os.: the change is to clarify that the ability to suspend really only relates to rules concerning the management of the meetings eg time limits, speaking once, duration etc.	Clarification.
14.	S.O.24 – Emergency Powers: These have been inserted into Standing Orders given the need to report their exercise to the next meeting of the Council.	The procedural requirement to report back to Council is now reflected within the Council’s Standing Orders and reflects common practice.
15.	S.O.25 – Sealing: it is standard practice for Standing Orders to authorise the sealing of documents.	Reinstatement following deletion in a previous review.
16.	S.O.26 – Election of Members and Resignation of Office by Members.	This reflects Local Government Act 1972 requirements and consequences for reporting to a Council meeting.
17.	S.O.27 – Filming, video etc: the Standing Order reflects the national position on enabling public engagement.	Legal compliance. The Standing Orders summarise the public’s rights which are set out in more detail in a protocol.