

**COUNCIL MEETING PROCEDURE RULES - AMENDMENTS**

**Report of the Assistant Director – Legal & Democratic Governance**

**1. INTRODUCTION AND PURPOSE OF REPORT**

- 1.1 At its meeting on 3 November 2022, the Constitution Working Party considered a report outlining the current arrangements for the submission of motions and amendments.
- 1.2 This followed a request from members that further consideration be given to the existing arrangements for the submission of amendments following concerns being expressed in relation to the ability of members and political groups to give due and proper consideration to amendments that are submitted during the course of a council meeting.

**2. BACKGROUND AND CURRENT ARRANGEMENTS**

- 2.1 The Council Meeting Procedure Rules (Part 5, PR1; Rule 12) impose a deadline for the submission of motions, being 7 clear days in advance of the meeting (i.e. two days in advance of the publication of the summons for the meeting). Such motions are then circulated to the political groups the following day.
- 2.2 There is no such requirement imposed for the submission or circulation of amendments in advance of the Council Meeting. The sole stipulation is that any amendment must be submitted in writing and a copy provided to the Chief Executive and Monitoring Officer before they are moved or discussed.
- 2.3 In practice, this requirement has meant that amendments are received by Democratic Services in advance of the meeting; however they are only then circulated to all members with the explicit consent of the mover and seconder or the relevant group leader.
- 2.4 As a consequence, most amendments are only circulated as the motion is being considered which frequently necessitates an adjournment of proceedings to permit the groups the opportunity to read and consider the amendment.
- 2.5 At the meeting on 3 November 2022, the Working Party considered the current arrangements as set out in the Council Meeting Procedure Rules and made the following comments:-
  - It was suggested that the areas of the constitution that dealt with the timing of submission of amendments to motions be reconsidered.
  - It was felt that additional time to consider amendments to motions could benefit those without the support of political assistants and any members with a learning difficulty.
  - It was also felt that additional time to consider amendments to motions could impact current flexibility and the ability to react and debate issues at the meeting itself.

- It was noted that a meeting adjournment could be used as a tool to enable members to consider a matter further.
- It was suggested that best practice relating to the timing of submission of amendments to motions to Full Council from other local authorities be sought.
- Members were encouraged to put forward options to the Monitoring Officer in advance of the next meeting.

2.6 The Working Party recommended, by majority vote, that further work be undertaken to establish best practice and experience at other authorities which should be brought back to a future meeting for consideration.

### 3. PRACTICE IN OTHER LOCAL AUTHORTIES

3.1 Consultation has taken place with other authorities throughout Greater Manchester and the following information has been received:-

Authority	Has deadline for amendments	Details	Amendments circulated in advance
Bolton	✗	-	✗
Bury	✓	12noon day prior *	✓
Manchester	✓	30 mins before meeting	✓
Oldham	✓	12 noon day prior	✓
Rochdale	✗		✗
Salford	✗		✗
Tameside	✗		✗
Trafford	✗		✗
Wigan	✓	<ul style="list-style-type: none"> <li>• 12 noon day prior</li> <li>• Amendments to amendments by 5pm day prior</li> </ul>	✓

\*except budget amendments which are only shared with group leader's consent

### 4. CONSTITUTION WORKING PARTY – 16 FEBRUARY 2023

4.1 The Working Party met on 16 February 2023 and considered the practice in other local authorities in Greater Manchester, and the following comments were made:-

- The current arrangements did not allow sufficient time to adequately consider amendments before a decision needed to be made. This was particularly disadvantageous to smaller political groups that did not have the support of a political assistant or those members who were neurodivergent.

- Conversely, it was suggested that it was the role of elected members to be agile in their thinking and no evidence had been presented to the Working Party that the current practice had led to bad decision-making.
- It was commented that those authorities that operated advance notice requirements for amendments did not suffer from lack of debate at their council meetings.
- It was suggested that any proposal to make changes to the constitution should be delayed until the new council had been elected in May 2023 to allow those members to determine the procedures that would be followed at future council meetings. In response, it was noted that any decision on the proposed change would need to be considered by the Council Meeting in July 2023 in any event, which placed the matter in the hands of the new council.
- The current arrangements encouraged behaviour that aimed to 'catch-out' the group proposing the original motion which could lead to poorer quality debate and decision-making.
- It was noted that the majority of authorities in Greater Manchester operated the same arrangements as Stockport did, and the drive for change in the light of that was queried. In response, it was stated that the purpose of the report was to identify what alternative arrangements were being operated elsewhere to ascertain whether there was a better way of considering amendments than was currently the case.
- It was stated that the Working Party was not making a decision on this matter, but rather its role was to advise and guide the Cabinet and the Council Meeting on potential changes to the constitution. It would therefore be appropriate for the Working Party to make a suggestion for change that could then be properly debated by all 63 members at the Council Meeting.

4.2 The Working Party then made the following recommendation (6 for, 1 against):-

That the Council Meeting be recommended to give consideration to the amendment of Council Meeting Procedure Rule 14.6 (b) as follows:-

**14.6 Amendments to motions**

- (b) All amendments must be submitted in writing and a copy provided to the Chief Executive and Monitoring Officer ***by no later than three hours prior to the commencement of the meeting*** ~~before they are moved or discussed.~~ ***Amendments will be circulated to all members as soon as practicable following this deadline.***

4.3 It is proposed that this rule should be disapplied in the case of committee meetings and a consequential amendment would need to be made to Council Meeting Procedure Rule 26 to include Rule 14.6(b) within the schedule of exemptions.

## 5. CONCLUSIONS AND RECOMMENDATIONS

5.1 The Council Meeting is recommended consider whether it would wish to make an amendment to the Council Meeting Procedure Rules, as detailed in paragraphs 4.2 and 4.3 of the report.

## BACKGROUND PAPERS

There are none

Anyone wishing to inspect the above background papers or requiring further information should contact Vicki Bates on 0161 474 3219 or by email on [vicki.bates@stockport.gov.uk](mailto:vicki.bates@stockport.gov.uk)