

## A.4 - APPENDIX F

### OUTCOME OF MEMBER CONSULTATION ON THE PROPOSED CHANGES TO COUNCIL PROCEDURE RULES

COUNCIL PROCEDURE RULE	CONSULTATION RESPONSE	CRWP COMMENTS & PFH RECOMMENDATIONS
<p><b>23.1 Standing to Speak</b></p> <p>When a Member speaks at full Council they must stand (if possible) and address the meeting through the Chairman.</p> <p>If more than one Member stand, the Chairman will ask one to speak and the others must sit.</p> <p>Other Members must remain seated whilst a Member is speaking unless they wish to make a point of procedure or a point of personal explanation.</p>	<p><i>“What consideration has been given to the implications of the Equalities Act with regards to those Members who find it difficult to stand at Council meetings?”</i></p>	<p><b><u>Comments</u></b></p> <p>The Rule states that a Member must stand <b>if possible</b>. This follows the Modular Constitution that was issued by Government in 2001. Most other Councils have a similar rule to TDC. Traditionally, the Chairman of the Council has readily granted a dispensation from the requirement to stand to those Members in physical difficulty</p> <p>A Member standing enables them to be more easily identified by fellow Members, the press/public present at the meeting and also the Officers taking the minutes.</p> <p>In addition, standing will assist the Member to project their voice and enable them to be more easily heard by their fellow Members the press/public present at the meeting and also the Officers taking the minutes. Also their speech is likely to be more clearly recorded on the audio recording of the meeting.</p> <p>Wider research has demonstrated that the approach adopted by TDC is equality compliant and follows best practice.</p> <p>No recommendations were made by the CRWP to change the existing procedure.</p> <p><b><u>PFH Recommendations</u></b> <i>To remain with the existing procedure, this is equality compliant and follows best practice.</i></p>

<b>COUNCIL PROCEDURE RULE</b>	<b>CONSULTATION RESPONSE</b>	<b>CRWP COMMENTS &amp; PFH RECOMMENDATIONS</b>
<p><b>5. Time and Place of Meetings</b></p> <p>The time and place of Council meetings will be notified in the summons.</p> <p>Meetings will normally be held at <del>7.30 p.m.</del> <b>7.00 p.m.</b> in the Princes Theatre, Town Hall, Clacton-on-Sea and the Council may, from time to time, vary the place, date or hour of a meeting or meetings. Where it is not practicable for the Council to meet to agree a variation, such variation shall be determined by the Chairman (or failing him the Vice-Chairman) of the Council.</p>	<p><i>Objection to new proposed start time of 7.00 p.m. for Full Council meetings. It is has been expressed that this is too early for those, who work during the day.</i></p> <p><i>The finish time, it was felt, should not be prescribed, but there could, perhaps, be an aspiration in the rules that the Chairman should seek both to manage the business on the agenda and conduct the meeting such that it aims to finish at a reasonable time.</i></p>	<p><b><u>CRWP Comments</u></b></p> <p>CRWP have recommended this change to allow sufficient time within the Council Meeting to enable Motions on Notice to be debated on the night.</p> <p><b><u>Portfolio Holder's Recommendation</u></b></p> <p><b><u>(as set out within the Cabinet Report dated 18 January 2019)</u></b></p> <p><b>The start time of 7.30pm for Ordinary Full Council meetings remains unchanged recognising that a proportion of elected councillors are employed.</b></p>
<p><b>12. Procedure for Motions on Notice</b></p> <p>The proposed changes to the Council Procedure Rules were to allow all motions to be dealt with on the night, unless a notice of referral was received and following a vote, being referred to the appropriate body for consideration.</p>	<p>Strong objection to the idea that all motions get debated on the night. There would be the potential for uninformed decisions being made. Due to either "loose" wording leading to unforeseen and unintended consequences or more importantly financial implications.</p> <p>There is no objection to motions being taken on the night that cannot possibly bind or commit the Council.</p> <p>Where the Chairman feels it is appropriate</p>	<p><b><u>CRWP Comments</u></b></p> <p>The proposed changes were considered a more democratic approach to allow any elected member to move a motion and, once seconded, be able to explain to Full Council the reasons behind it.</p> <p>If any other elected member felt it was necessary for further work to be undertaken prior to final consideration, an amendment could be moved and if carried, referred to the appropriate body.</p> <p>The current procedure does not provide the Chairman with any flexibility or discretion to allow a motion to be dealt with on the night. In addition, it is considered more democratic to transfer the decision on whether a motion should be referred, to Full Council rather than rest in the hands of the Chairman.</p>

	<p>he has taken debate on the night in accordance with the existing rules.</p> <p>The current procedure works really well and is far tighter than it was previously.</p>	<p><b><u>PFH Recommendation</u></b></p> <p>Refer to the body of the Report.</p>
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