



Report to Council

Report of: Chief Executive

Date: 3 September 2014

Subject: Order of Notices of Motion on the Council Summons 2014/15

Author of Report: Paul Robinson – Head of Democratic Services (Council & Members)
0114 273 4029

Purpose:

To agree, in relation to Council Procedure Rule 10.2, the formula for the order in which Notices of Motion shall be listed on the Council Summons for the remainder of the Municipal Year 2014/15.

Recommendations:

That the Council:

- (a) adopts the formula for the order in which Notices of Motion shall be listed on the Council Summons during the Municipal Year 2014/15, as set out in paragraph 3.2 of the report; and
- (b) approves the proposed consequential changes to Council Procedure Rule 10.2(b) to reflect the position agreed by the Corporate Members' Group, as set out in the Appendix to this report.

Background Papers: NONE

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial implications
NO
Legal implications
NO
Equality of Opportunity implications
NO
Tackling Health Inequalities implications
N/A
Human rights implications
N/A
Environmental and Sustainability implications
N/A
Economic impact
N/A
Community safety implications
N/A
Human resources implications
N/A
Property implications
N/A
Area(s) affected
None
Relevant Cabinet Portfolio Leader
Cllr Julie Dore
Relevant Scrutiny Committee if decision called in
Not applicable
Is the item a matter which is reserved for approval by the City Council?
Yes
Press release
NO

1. **Purpose**

- 1.1 To agree, in relation to Council Procedure Rule 10.2, the formula for the order in which Notices of Motion shall be listed on the Council Summons for the remainder of the Municipal Year 2014/15.

2. **Introduction and Background**

- 2.1 Council Procedure Rule (CPR) 10.2 (Motions set out in agenda) is set out below:-

“(a) Unless the Member giving notice states, in writing, that he/she proposes to move it to a later meeting or withdraw it, motions for which notice has been given will be listed on the Council Summons in an order based on a pre-determined formula according to the relative size of the various Party Groups on the Council, with Motions being considered in an order of priority identified by the various recognised Groups. The formula shall be agreed at the start of each Municipal Year to take account of any changes in size of the Groups etc. Provision shall also be made for the inclusion of any individual Motions that are not submitted through the recognised Groups.

“(b) Provision shall be made, within the formula, for each recognised Group on the Council to have the first Motion set out in the Council Summons at least once during each full Municipal Year, with the frequency being determined according to the relative size of the Party Groups.”

- 2.2 Notices of Motion are submitted to each ordinary meeting of the Council (except January). There are no ordinary meetings in March, May and August. This means that in “normal” years there are 8 meetings to which the formula applies. However, due to the Council’s AGM in 2014 being held on the date that the June ordinary meeting would normally be held (due to the later date of the Municipal Elections), there will only be 7 meetings in 2014/15 to which the formula will apply.

- 2.3 For information, the formula that was agreed for the Municipal Year 2013/14 is set out below:-

June 2013 - Green/Labour/Labour/Lib Dem/Labour/Labour/Lib Dem, repeated

July - Labour/Labour/Lib Dem/Labour/Labour/Lib Dem/Green, repeated

September - Lib Dem/Labour/Labour/Lib Dem/Labour/Labour/Green, repeated

October - Labour/Labour/Lib Dem/Labour/Labour/Lib Dem/Green, repeated

November - Labour/Labour/Lib Dem/Labour/Labour/Lib Dem/Green, repeated

December - Lib Dem/Labour/Labour/Lib Dem/Labour/Labour/Green, repeated

February 2014 - Labour/Labour/Lib Dem/Labour/Labour/Lib Dem/Green, repeated

April - Labour/Labour/Lib Dem/Labour/Labour/Lib Dem/Green, repeated

(This formula is based on the relative size of the Party Groups [in 2013/14] and gives the following result in terms of having the first Motion listed on the agenda:-
Labour - 71.4% of members = 62.5% of meetings/5 of the 8 meetings
Lib Dem - 26.2% of members = 25% of meetings/2 of the 8 meetings
Green - 2.4% of members = 12.5% of meetings/1 of the 8 meetings)

- 2.4 Following the Municipal Elections held on 22nd May, 2014, the Council now has 4 political groups, an increase of one group from 2013/14. The Labour Group has 59 seats, the Liberal Democrat Group has 18 seats, the Green Group has 4 seats, and the UKIP Group has 3 seats. The total number of seats on the Council is 84. This means that the percentage allocation is as follows:-

Labour:	$59 \div 84 \times 100 = 70.24\%$
Liberal Democrat:	$18 \div 84 \times 100 = 21.43\%$
Greens:	$4 \div 84 \times 100 = 4.76\%$
UKIP:	$3 \div 84 \times 100 = 3.57\%$

- 2.5 Applying each political group's percentage allocation (outlined at paragraph 2.4 above) to the number of ordinary Council meetings in 2014/15 (i.e. 7) gives the following result – 4.92% Labour; 1.50% Lib Dem; 0.33% Green; and 0.25% UKIP. This would give a result of 5 : 2 : 0 : 0 (Labour/LibDem/Green/UKIP) in terms of the frequency for having the first Motion listed on the agenda over the course of the year.
- 2.6 Adopting the frequency outlined in paragraph 2.5 above, whilst satisfying the provisions of Council Procedure Rule 10.2(a), would not fulfil the requirements of Council Procedure Rule 10.2(b), and therefore, at the Annual Meeting of the Council on 4th June 2014, approval was given to the following interim position pending further discussions on the matter between the political groups:-

(i) the formula for the order in which Notices of Motion shall be listed on the Council Summons for the July and September 2014 ordinary meetings of the Council shall be as follows:-

July 2014 - Labour/Labour/Lib Dem/Labour/Labour/Lib Dem/Green/UKIP,

repeated

September 2014 - Lib Dem/Labour/Labour/Lib Dem/Labour/Labour/Green/UKIP,

repeated

and (ii) the formula for the remainder of the Municipal Year be the subject of discussion between the political groups with a view to identifying an order that reflects the political composition of the Council and be agreed at the July or September Council meeting.

3. **Proposal for the Formula for 2014/15**

- 3.1 A proposal (set out in paragraph 3.2 below) for the formula for the order in which Notices of Motion shall be listed on the Council Summons for the remainder of the Municipal Year 2014/15, was submitted to the Corporate Members' Group for consideration at its meeting held on 7th July 2014. The composition of the Corporate Members' Group includes the Leaders of all 4 political groups on the Council.
- 3.2 The proposed formula submitted to the Corporate Members' Group was:-
- July 2014 (agreed at the AGM) -
Labour/Labour/LibDem/Labour/Labour/LibDem/Green/UKIP, repeated
- September (agreed at the AGM) -
LibDem/Labour/Labour/LibDem/Labour/Labour/Green/UKIP, repeated
- October –
Green/Labour/Labour/LibDem/Labour/Labour/LibDem/UKIP, repeated
- November –
Labour/Labour/LibDem/Labour/Labour/LibDem/Green/UKIP, repeated
- December –
LibDem/Labour/Labour/LibDem/Labour/Labour/Green/UKIP, repeated
- February 2015 –
Labour/Labour/LibDem/Labour/Labour/LibDem/Green/UKIP, repeated
- April –
Labour/Labour/LibDem/Labour/Labour/LibDem/Green/UKIP, repeated
- 3.3 The proposed formula set out above offers the result 4 : 2 : 1 : 0 in terms of the frequency of having the first Motion listed on the agenda over the course of the year (compared with the result of 5 : 2 : 0 : 0 set out in paragraph 2.5 above). Whilst this does not strictly satisfy Council Procedure Rule 10.2(b) as it does not facilitate all four of the recognised groups on the Council having the first Motion listed on the agenda at least once during each Municipal Year, it was also proposed that any opposition group(s) not large enough to be entitled (after rounding of part-percentages) to be allocated a meeting at which it would have the first Motion listed on the agenda, to have the first Motion once every two years, starting this year with the Green Group, being the largest (and longer standing) of the 2 opposition groups where this situation applies this Municipal Year, and that the Procedure Rule be amended to reflect this.
- 3.4 The proposed formula also gives the following result for the number of Motions each Group would have within the first 8 Motions listed on each agenda – Labour 50%; Lib Dem 25%; Green 12.5%; and UKIP 12.5% (compared with the Groups' representation on the Council of 70.24%; 21.43%; 4.76%; 3.57%, respectively).

- 3.5 Following consideration of the proposal, the Corporate Members' Group agreed that a report be submitted to the September meeting of the Council on (a) the formal adoption of the proposed formula, and to include a degree of flexibility for a Group to move the scheduling of their first Motion in exceptional circumstances and (b) the consequential changes required to be made to the Council Procedure Rule.
- 3.6 The consequential changes to the Council Procedure Rule 10.2(b) is set out in the appendix to this report.

4. **Recommendation**

- 4.1 That the Council (a) adopts the formula for the order in which Notices of Motion shall be listed on the Council Summons during the Municipal Year 2014/15, as set out in paragraph 3.2 of the report; and
(b) approves the proposed consequential changes to Council Procedure Rule 10.2(b) to reflect the position agreed by the Corporate Members' Group, as set out in the Appendix to this report.

JOHN MOTHERSOLE
Chief Executive

8 Notice of and Summons to Council Meetings

The Chief Executive will give notice to the public of the time and place of any meeting in accordance with Council Procedure Rules 26 and 27 and existing legislation relating to access to information, as amended from time to time. At least five clear working days before a meeting, the Chief Executive will send a summons signed by him/her to every member of the Council giving the date, time and place of each meeting and specify the business to be transacted and will be accompanied by such reports as are available.

9 Order of Council Business

9.1 The business of the Council shall be taken in the order in which it appears in the Council Summons. However, the Council may, by a resolution passed on a motion duly moved and seconded, direct the order of precedence to be changed, in circumstances where the subject of a motion proves to generate public interest reflected by a significantly increased attendance by members of the public at a Council meeting and it is therefore deemed appropriate to take the motion in question as an earlier item of business. The motion to change the order of business shall be dealt with in accordance with the process set out in Council Procedure Rule 11(b).

9.2 The Council shall, where appropriate, consider any item referred from the Cabinet or Scrutiny and Policy Development Committee and shall take such action on the issues as may be deemed appropriate.

10 Notices of Motion to Council

10.1 Deadline for receipt of

Except for motions which can be moved without notice, as set out under Council Procedure Rule 11, written notice of every motion to be included in the Council Summons for each ordinary meeting of the Council (except January) must be delivered to the Chief Executive not later than 12.00 noon on the Tuesday in the week prior to the next meeting of the Council or the day earlier where a Bank Holiday falls within the intervening period.

10.2 Motions set out in agenda

(a) Unless the Member giving notice states, in writing, that he/she proposes to move it to a later meeting or withdraw it, motions for which notice has been given will be listed on the Council Summons in an order based on a pre-determined formula according to the relative size of the various Party Groups on the

Council, with Motions being considered in an order of priority identified by the various recognised Groups. The formula shall be agreed at the start of each municipal year, to take account of any changes in size of the Groups etc. Provision shall also be made for the inclusion of any individual Motions that are not submitted through the recognised Groups.

- (b) ~~Provision shall be made, within the formula, for each recognised Group on the Council to have the first Motion set out in the Council Summons at least once during each full municipal year, with the frequency being determined according to the relative size of the Party Groups. In addition, the formula shall include an allocation for having the first Motion listed on the Council Summons, with the frequency being determined according to the relative size of the Party Groups. Any Group not sufficient in size to be entitled to a meeting at which it would have the first Motion listed on the agenda, shall be entitled to have the first Motion listed on the Council Summons once within a period of two Municipal years. In-year variations to the scheduling of a Group's first Motion shall be permitted, in exceptional circumstances, with the prior agreement of each of the Groups.~~

10.3 Scope

The Chief Executive may reject a Motion if it:-

- (a) is not a matter for which the Council has a responsibility or which affects the City, or its inhabitants.
- (b) is defamatory, frivolous or offensive.
- (c) is substantially the same as a Motion which has been put at a meeting of the Council in the past six months, unless Council Procedure Rule 10.4 has been complied with.
- (d) requires the disclosure of confidential or exempt information.
- (e) contains information which is factually inaccurate.

10.4 Motion similar to one previously rejected

A motion or amendment in similar terms to one that has been rejected at a meeting of the Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least ten Members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.