

**REPORT TO:** Cabinet  
Council

**DATE:** 27<sup>th</sup> January 2011  
27<sup>th</sup> January 2011

**SUBJECT:** Constitution – Rules of Procedure – Budget Council

**WARDS  
AFFECTED:** All

**REPORT OF:** David McCullough  
Monitoring Officer

**CONTACT  
OFFICER:** David McCullough  
Acting Head of Corporate Legal Services & Monitoring  
Officer  
0151 934 2032

**EXEMPT/  
CONFIDENTIAL:** No

**PURPOSE/SUMMARY:**

To consider amending the Constitution for the Budget setting Council meeting on 3rd March 2011 and for all Budget setting Council meetings thereafter.

**REASON WHY DECISION REQUIRED:**

The Constitution currently limits the time members may speak at Council and restricts the manner in which a decision made at Council in the past six months may be rescinded and provides that a motion or amendment in similar terms to one that has been rejected at Council in the past six months may not be moved unless the notice of motion or amendment is signed by at least 22 members.

**RECOMMENDATION(S):**

That the Council be recommended to give approval to the amendment of the Constitution to provide that the provisions of Rule 15.4 (Content and length of speeches) and 17 (previous decisions and motions) of the Council and Committee Procedure Rules be suspended only to enable statements to be made on behalf of the three Political Groups on the forthcoming years Revenue Budget and to allow Political Group Leaders to move amendments to the forthcoming Revenue Budget where items have been previously debated and voted upon at a Council meeting in the past six months.

**KEY DECISION:** No

**FORWARD PLAN:** Not appropriate

**IMPLEMENTATION DATE:** Subject to the decision of Council on 27<sup>th</sup> January 2011

**ALTERNATIVE OPTIONS:** Not to amend the Constitution in this way will stifle debate and restrict the options available for members when setting the Budget.

**IMPLICATIONS:**

**Budget/Policy Framework:**

**Financial:**

<b><u>CAPITAL EXPENDITURE</u></b>	<b>2009 2010 £</b>	<b>2010/ 2011 £</b>	<b>2011/ 2012 £</b>	<b>2012/ 2013 £</b>
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<b><u>REVENUE IMPLICATIONS</u></b>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

**Legal:** The approval of Full Council is required to amend the Constitution.

**Risk Assessment:** Not appropriate

**Asset Management:** Not appropriate

**CONSULTATION UNDERTAKEN/VIEWS**

**CORPORATE OBJECTIVE MONITORING:**

<b><u>Corporate Objective</u></b>		<b><u>Positive Impact</u></b>	<b><u>Neutral Impact</u></b>	<b><u>Negative Impact</u></b>
1	Creating a Learning Community		✓	
2	Creating Safe Communities		✓	
3	Jobs and Prosperity		✓	
4	Improving Health and Well-Being		✓	
5	Environmental Sustainability		✓	
6	Creating Inclusive Communities		✓	
7	Improving the Quality of Council Services and Strengthening local Democracy	✓		
8	Children and Young People		✓	

**LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT**

## **1. Background**

- 1.1. Rule 15.4 of the Constitution provides that speeches at Council meetings may not exceed eight minutes without the consent of the Council, and any such extension of time granted shall not exceed a further three minutes.
- 1.2. Rule 17.1 of the Constitution provides that a motion to rescind a decision made at a meeting of the Council within the past six months cannot be moved unless the motion is signed by at least 22 members.
- 1.3. Rule 17.2 of the Constitution provides that a motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least 22 members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.
- 1.4. Given the extent and detail of matters which will need to be considered in setting the Council's budget and the importance of the same, it has been recognised in the past that the normal procedural rules as set out above should be suspended for the budget setting Council meeting in order to allow for a comprehensive debate and to allow Political Groups more scope to propose budgets.

## **2. Recommendation**

- 2.1 That the Council be recommended to give approval to the amendment of the Constitution to provide that the provisions of Rule 15.4 (Content and length of speeches) and 17 (previous decisions and motions) of the Council and Committee Procedure Rules be suspended only to enable statements to be made on behalf of the three Political Groups on the forthcoming years Revenue Budget and to allow Political Group Leaders to move amendments to the forthcoming Revenue Budget where items have been previously debated and voted upon at a Council meeting in the past six months.