

CONSTITUTION COMMITTEE

13 OCTOBER 2009

Proposed Change to Procedural Standing Order 11

Notice of Motion

Procedural Standing Order 11.1 in Part 4 of the Constitution provides:

“Except for motions which can be moved without notice under these Procedural Standing Orders, written notice of motions for discussion at full Council meetings must be delivered to the Chief Executive not later than 12 noon on the sixth day before the date of the meeting. The Chief Executive will maintain a record of all motions submitted and the public may inspect that record except in respect of motions considered in the absence of the press and public”.

Members may recall that the question of the time for receipt of notice of motions was considered at a committee meeting in March this year, when the committee rejected a proposal to bring forward the time from 12 noon on the sixth day before the date of the meeting to 12 noon on the twelfth day before the meeting. Therefore, the original wording remains unchanged.

Members should be aware that the Constitution requires that the summons to the Council meeting is issued at least nine days before the meeting (see Procedural Standing Order 6.2) i.e. before the notice of motions is received. However, the law requires that all business to be transacted at the Council meeting is specified in the summons to the meeting unless it is an urgent item. This is not possible if notice of motion is received after the summons has been issued.

Therefore:

IT IS RECOMMENDED THAT:

The Constitution is changed such that written notice of motion is required to be delivered to the Chief Executive not later than 12 noon on the seventh day before the date of the meeting, unless the Chair is of the opinion that the motion should be considered as a matter of urgency. This would not apply to motions which can be moved without notice under Procedural Standing Orders.

A recommendation to this effect be made to full Council.

Christine Wray
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5th October 2009