

REPORT TO THE COUNCIL

Report No. 8

Date of Meeting	24 April 2007
Title of Report	Council Procedure Rules
Link to Corporate Priorities	This is not linked to Corporate Priorities but good governance underpins all the Council's activities.
Public Report	Yes

Summary of Report

To consider an amendment to the Council Procedure Rules.

Officer Recommendations

That the Council Procedure Rules be amended by the inclusion of an additional procedural rule relating to Motions on Notice to provide that every Motion must be about matters for which the Council has responsibilities or which affect North Wiltshire or persons residing or working in North Wiltshire.

Other than those implications agreed with the relevant Officers and referred to below, there are no other implications associated with this report.

Financial Implications	Legal Implications	Community & Environmental Implications	Human Resources Implications	Equality & Diversity Implications
NO	YES	NO	NO	NO

Contact Officer	Peter Jeremiah, Team Leader Legal Services, 01249 706600 pjeremiah@northwilts.gov.uk
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1. Introduction

- 1.1 The function of the Council is to debate and make decisions about matters relevant to North Wiltshire district or matters relating to its statutory powers and duties.
- 1.2 There is at present no provision in the Council Procedure Rules which limits the scope of Notices of Motion submitted by members.

2. Options and Options Appraisal

- 2.1 Make no change to the Council Procedure Rules.
- 2.2 Amend the Council Procedure Rules as set out in the recommendations.
- 2.3 Amend the Council Procedure Rules in some other way.

3. Background Information

- 3.1 It is normal practice to have a procedural rule which confines the scope of Notices of Motion to matters relevant to the district or to the discharge of the Council's functions.
- 3.2 Such a provision was included in the Council's Standing Orders prior to the adoption of Executive arrangements in 2000.
- 3.3 The Model Constitution published by the DETR (which at that time had responsibility for local government affairs) contains such a provision.
- 3.4 The provision was omitted from the Council's current Procedure Rules by oversight and not by design at the time of the adoption of the Council's Constitution.

4. Legal Implications

- 4.1 Decisions taken which fail to comply with standing orders are ultra vires and therefore, subject to judicial challenge.

5. Risk Analysis

- 5.1 There are no risks attached to this decision.

Appendices:	<ul style="list-style-type: none">• None
Background Documents Used in the Preparation of this Report:	<ul style="list-style-type: none">• None

Previous Decisions Connected with this Report

Report	Committee & Date	Minute Reference
None		