



Council

16 November 2015

**Subject: Amendments to the Constitution**

Report by:

Chief Executive

Contact Officer:

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Purpose / Summary:

To make an amendment to the Constitution to determine the time by which Motions to Council must be submitted to the Chief Executive.

**RECOMMENDATION(S):**

That the Constitution be amended to state that Motions to Council must be received seven clear working days prior to the meeting (excluding the day of the meeting).

## IMPLICATIONS

**Legal:** The Council's Constitution must comply with statute

**Financial :** None [FIN/56/16](#)

**Staffing :** None

**Equality and Diversity including Human Rights :** None

**Risk Assessment :** None

**Climate Related Risks and Opportunities :** None

**Title and Location of any Background Papers used in the preparation of this report:**

<http://www.west-lindsey.gov.uk/your-council/how-the-council-works/the-constitution/>

### Call in and Urgency:

**Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?**

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

**Yes**

**No**

**X**

### Key Decision:

A matter which affects two or more wards, or has significant financial implications

**Yes**

**No**

**X**

## **1 Introduction**

- 1.1 The Constitution currently requires that Motions to Council be submitted five working days prior to the meeting. This effectively means the date of despatch of the agenda.
- 1.2 Motions must be accepted or rejected by the Chief Executive then allocated to a Council officer to prepare a response to be given by e.g. the Leader of the Council, a Committee Chairman etc.
- 1.3 The Law on Local Authority Procedures (Knowles) states that Motions must be set out in the agenda in the order that they are submitted and the Council's standing orders must specify the time by which they must be received by the Chief Executive. This is not specified, however Knowles advises that the norm is seven working days i.e. two days prior to agenda despatch.
- 1.4 To ensure the procedure is clearly set out it is proposed that the Constitution states:

Part V (Council Procedure Rules) – page 6

10.1 Motions to Council must be received by the Chief Executive by close of play seven clear working days prior to the meeting (excluding the day of the meeting). i.e. for a meeting on Monday 15<sup>th</sup> of the month this would be by 5pm on the Wednesday 3<sup>rd</sup> of the month.