

AUDIT AND GOVERNANCE COMMITTEE – 26 NOVEMBER 2020

Agenda Item 7 – (Report of the Constitution Review Working Group – Changes to the Council's Constitution), Section 5 (refers) – Supplementary Recommendations

Review of Procedure Rule 36 (Variation and revocation of Procedure Rules)

Procedure Rule 36 which sits within the general provisions section (Sub Part C) of the Constitution currently reads *“Any motion to vary or revoke these Rules shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.”*. The general provision rules apply equally to all meetings of committees, sub-committees and full council.

However, the Constitution (and consequently the Procedure Rules) may only be varied or revoked by full Council. It is therefore not appropriate for this procedure rule to be included under the general provisions section and should be moved to Sub Part A (Council Meetings) Procedure Rules.

Furthermore, the consequences of giving effect to this procedure rule is a lengthy delay to any proposed amendment of the Council's Procedure Rules, even those which may have been fully considered by the Constitution Review Working Group and the Audit and Governance Committee, and which then forms a recommendation to full Council. Effectively Procedure Rule 36 would cause all such recommendations to stand adjourned from the first Council meeting to the next ordinary meeting of the Council.

It is not considered that this was the intent of this procedure rule when initially drafted by the Shadow Authority, although it may be considered appropriate to adopt this more cautious approach when considering motions to vary or revoke the council's procedure rules submitted under Procedure Rule 12 (Notices of Motion).

It is therefore RECOMMENDED that:-

- (a) Procedure Rule 36 be amended to read “Any motion *under Procedure Rule 12 (Motions on Notice)*, to vary or revoke these Rules shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council”;**
- (b) Procedure Rule 36 (as amended) be moved from Sub Part C (General Provisions) to Sub Part A (Council Meetings).**