

Agenda Item No.5 (a)

DERBYSHIRE COUNTY COUNCIL

19th July 2017

Standards Committee

Report of the Director of Legal Services

**COUNCIL PROCEDURE RULES -
Duration of Council Meetings**

1. Purpose of the report

To consider a proposed amendment to the Rules of Procedure within the Council's Constitution to allow for the adjournment of any Council meeting which has lasted for three hours or longer.

2. Information and Analysis

It is considered that excessively lengthy meetings do not serve the interests of good decision making. However, under the current arrangements, the Rules of Procedure do not provide for the duration of Council meetings to be restricted or provide for their adjournment.

Whilst the general management of Council meetings would remain at the discretion of the Chairman, it is considered that it would be helpful to have parameters established in the Council's Constitution. Therefore, it is proposed that the Council's Rules of Procedure be amended to enable Council meetings to be adjourned if they exceed three hours. A draft report to be considered by the Council on 13th September detailing the proposed changes to the Constitution is attached as an Appendix for consideration by the Standards Committee.

3. Legal and Human Rights Considerations

The proposal described in this report requires a change to the Council's Rules of Procedure which are contained within the Constitution. Changes to the Constitution may only be approved by the Council after consideration of the proposals by the Standards Committee.

4. Other Considerations

In preparing this report the relevance of the following factors have also been considered: prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

5. Background Papers

The file held by the Director of Legal Services.

6. Officer Recommendations

That the Standards Committee considers the proposed change to the Council's Rules of Procedure.

John McElvaney

Director of Legal Services

DERBYSHIRE COUNTY COUNCIL

COUNCIL

13th September 2017

Report of the Director of Legal Services

COUNCIL PROCEDURE RULES – Duration of Council Meetings

1. Purpose of the Report

To consider a proposed amendment to the Rules of Procedure to allow for the adjournment of any Council meeting which has lasted for three hours or longer.

2. Information and Analysis

It is considered that excessively lengthy meetings do not serve the interests of good decision making. However, under the current arrangements, the Rules of Procedure do not provide for the length of Council Meetings to be restricted or provide for their adjournment.

Whilst the general management of Council meetings would remain to be at the discretion of the Chairman, it is considered that it would be helpful to have parameters established in the Council's Constitution. Therefore, it is proposed that the Council's Rules of Procedure (Part 4 of the Constitution) be amended with the inclusion of a new clause 4.1 as follows:

DURATION *Unless the majority of Members present vote for the meeting to continue, any meeting that has lasted for three hours will adjourn without delay. Any remaining business will be considered at the next ordinary meeting of the Council unless the Chairman stipulates an alternative date and time.*

The proposed change to the Rules of Procedure was considered by the Standards Committee on 19th July 2017. The Committee [*insert – decision of Committee*]. Should the amendments be approved by the Council, they would take effect from the next meeting of the Council on 6th December 2017.

3. Legal and Human Rights Considerations

The proposals described in the report require a change to the Council Rules of Procedure and so require approval by the Council following consideration by the Standards Committee.

4. Other Considerations

In preparing this report, the relevance of the following factors have also been considered: financial, prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

5. Background Papers

File held by the Director of Legal Services.

6. Officer Recommendation

That the Council approves and adopts the proposed amendment to the Council's Rules of Procedure.

JOHN MCELVANEY
DIRECTOR OF LEGAL SERVICES