

Bolsover District Council

Standards Committee

11th March 2019

**RECOMMENDATION FROM THE STANDARDS COMMITTEE – AMENDMENT TO
COUNCIL PROCEDURE RULE 21.1**

Report of the Head of Corporate Governance and Monitoring Officer

This report is public

PLEASE NOTE:

Attached is the report that was deferred from the Meeting of Council on 20th February 2019 pending further consideration by the Standards Committee.

Members are asked to considered its content and make recommendations for inclusion in the Review of the Constitution Report to Council on 22nd May 2019

Bolsover District Council

Council

20th February 2019

**RECOMMENDATION FROM THE STANDARDS COMMITTEE – AMENDMENT TO
COUNCIL PROCEDURE RULE 21.1**

Report of the Chairman of the Standards Committee

This report is public

Purpose of the Report

- For Council to give consideration to an item of recommendation from the Standards Committee in relation to amending the requirement to ‘stand’ at meetings of Council.

1 Report Details

- 1.1 The Standards Committee have the responsibility for reviewing the contents of the Council’s constitution and recommending any necessary changes to the Council for adoption. This is normally submitted as one singular report to Council on an annual basis.
- 1.2 In this instance, the Standards Committee have considered that Council should be offered the opportunity to adopt a recommendation made separately to the annual report that would be forthcoming to Council in the coming months.
- 1.3 At their meeting on 14th January, the Standards Committee were presented with the following option to consider:

<i>Area of Review</i>	<i>Proposal and Rationale</i>	<i>Sections of the Constitution to be revised</i>
<i>Councillors’ Conduct – Speaking at Meetings</i>	<p>It is proposed that the procedure rules for Councillors when they speak at Council meetings be revised to require Councillors to state their name before speaking and also to use the microphones. It is also proposed that the requirement to stand be removed.</p> <p>Requiring Councillors to state their names before speaking would assist the public and all Members in following the meeting. It is also important for Members to use the microphones to ensure that</p>	<i>Part 4 – Council Procedure Rules – Rule 21.1 (Page 91 of the current version)</i>

	<p>they can be heard by all participants and observers in the meeting.</p> <p>Microphones will be more effective if Members are seated as their voices will be closer to the microphone receiver, which will assist those participating in or observing the meeting who have a hearing impairment.</p> <p>The requirement for Members to stand could also be considered as discriminatory against Members with a disability or mobility problems, who may struggle to stand, particularly if they need to stand and sit down at regular intervals during a meeting.</p> <p>It is proposed that the relevant Council Procedure Rule, rule 21.1, be amended as follows:</p> <p style="padding-left: 40px;">When a Councillor speaks at Council, firstly they should announce their name and Ward or Cabinet Portfolio (if more appropriate), and he/she must address the meeting through the Chairman and stand and address the Chairman using the microphones.</p>	
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1.4 The debate of the Standards Committee is set out below. Please note that the Minute presented is in draft format, as a further meeting of the Committee has not been held to formally approve the content.

Councillors Conduct: Speaking at Meetings (Part 4 Council Procedure Rules (Rule 21.1))

It was proposed that the procedure rules for Councillors when they speak at Council meetings be revised to require them to state their name before speaking and also to use the microphones. It is was also proposed that the requirement to stand be removed.

Requiring Councillors to state their name before speaking would assist the public and all Members in following the meeting. It was important that Members used the microphones to ensure that they could be heard by all participants and observers in the meeting.

Microphones would be more effective if Members were seated as their voices would be closer to the microphone receiver, which would also assist those participating in, or observing the meeting who had a hearing impairment.

The requirement for Members to stand could also be considered as discriminatory against Members who may struggle with a disability or a mobility issue, particularly if they needed to stand and sit down at regular intervals during a meeting.

It was therefore proposed that Council Procedure Rule 21.1 be amended as follows;

*When a Councillor speaks at Council, **firstly they should announce their name and Ward or Cabinet Portfolio (if more appropriate)** and he/she must address the meeting through the Chairman ~~and stand and address the Chairman~~ **using the microphone.***

A Member welcomed this change and noted that in meetings, Members and observers with hearing impairments struggled to hear Members speaking into the microphones if they were in a standing position.

The Monitoring Officer suggested that this recommendation be taken to the next Council meeting ahead of Annual Council so that it could be implemented sooner.

Moved by Councillor T. Munro and seconded by Councillor H.J. Gilmour
RECOMMENDED that Council approve an amendment to Procedure Rule 21.1 of the Council's Constitution as follows;

*When a Councillor speaks at Council, **firstly they should announce their name and Ward or Cabinet Portfolio (if more appropriate)** and he/she must address the meeting through the Chairman ~~and stand and address the Chairman~~ **using the microphone.***

(Governance Manager)

2 Conclusions and Reasons for Recommendation

2.1 It is therefore proposed that the Council be requested to give consideration to the recommendations of the Standards Committee.

3 Consultation and Equality Impact

3.1 Standards Committee have been consulted as part of the review of the Constitution.

3.2 There are equalities issues raised within this report:

- 1) The requirement for Members to stand could be considered as discriminatory against Members with a disability or mobility problems, who may struggle to stand, particularly if they need to stand and sit down at regular intervals during a meeting.
- 2) Microphones will be more effective if Members are seated as their voices will be closer to the microphone receiver, which will assist those participating in or observing the meeting who have a hearing impairment.

4 Alternative Options and Reasons for Rejection

4.1 Members do not have to accept the recommendations of the Standards Committee and continue status quo on this matter.

5 Implications

5.1 Finance and Risk Implications

5.1.1 None

5.2 Legal Implications including Data Protection

5.2.1 None

5.3 Human Resources Implications

5.3.1 None

6 Recommendations

6.1 That Council give consideration to the recommendation of the Standards Committee and agree an approach.

7 Decision Information

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC: Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/> <i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
Has the relevant Portfolio Holder been informed	Yes
District Wards Affected	None
Links to Corporate Plan priorities or Policy Framework	All

8 **Document Information**

Appendix No	Title
None	
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
None	
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