

COUNCIL MEETING – 22ND FEBRUARY 2018

AGENDA ITEM NO. 6 (4)

**AMENDMENT TO THE STANDING ORDERS FOR THE REGULATION OF
BUSINESS – NOTICES OF MOTION**

A report from the meeting of the Licensing and General Purposes Committee held on 29th January, 2018.

1. INTRODUCTION

1.1 This report follows the full discussion at the Licensing and General Purposes Committee on the merits of an amendment to the Council Procedure Rules (Standing Orders) relating to Notices of Motion.

2. BACKGROUND

2.1 A potential amendment to the Council Procedure Rules on Notices of Motion was first raised at the Committee Meeting on 27th November, 2017 at the request of Cllr John Woolley (Vice-Chairman of the Licensing and General Purposes Committee). Following this, the Vice-Chairman brought a report to the Committee on 29th January, 2018 setting out further background material and details for discussion. This included a review of past notices of motion to the Council and the approach taken by a sample of other local authorities.

3. PROPOSAL

3.1 It is proposed that an amendment be made to Standing Order 9 (6) in order to ensure that all motions debated by the Council are relevant to topics over which the Council has some control, and on which the Council may be able to take action.

3.2 Standing Order 9(6), relating to Notices of Motion is currently worded as follows:

“Every motion shall be relevant to some matter in relation to which the Council has powers or duties or which affects the Borough directly.”

3.3 The proposed amendment is to delete the words “or which affects the Borough directly”.

4. BACKGROUND FINDINGS

4.1 The Report to the Licensing and General Purposes Committee included background information to support the proposal:

Motions debated by Rushmoor Borough Council

4.2 It is recognised that a significant amount of time is spent debating motions during meetings of the full Council. The following are examples of past notices of motion, the subject matter of which Rushmoor Borough Council has no powers or duties:

Meeting and Topic	Motion
<p>Oct 2014</p> <p>Tax Avoidance by Multi-national Companies</p>	<p>Motion moved by Cr. A.M. Ferrier.</p> <p>“This Council expresses concern that some multinational companies are avoiding billions of pounds of tax from a tax system that fails to make them pay their fair share and, therefore, calls on the Government to act to end the injustice of aggressive tax avoidance by large multinational companies so that the revenue raised can be used to assist the improvement of public services, including those provided by local authorities such as Rushmoor.”</p>
<p>July 2010</p> <p>VAT</p>	<p>Motion moved by Cr. K. Dibble.</p> <p>“This Council resolves:</p> <p>(1) to write directly to the Chancellor of the Exchequer raising concerns about the impact of the proposed VAT increase on pensioners, other vulnerable groups and businesses in Rushmoor; and</p> <p>(2) to call on the Member of Parliament representing Aldershot and Farnborough to stand up for Rushmoor’s pensioners, businesses and wider community, to voice their opposition to this unfair increase in VAT and to vote against it in Parliament.”</p> <p>Amendment moved by Cr. G.B. Lyon and agreed by the Council:</p> <p>“This Council resolves to write directly to the former Prime Minister, Gordon Brown, raising concerns about the impact of the necessary VAT increase on pensioners, other vulnerable groups and businesses in Rushmoor resulting from his mismanagement of the economy”</p>
<p>Feb 2011</p> <p>Sale of Public Forests</p>	<p>Motion moved by Cr. M.J. Roberts.</p> <p>“This Council believes that, given the impact on Rushmoor’s residents, the Government’s intention for public bodies to sell off up to 100% of England’s public forestry is fundamentally unsound, flies in the face of public views, ecosystems, carbon reduction and calls on Government to rethink its decision to protect it for future generations.”</p>

	<p>Amendment moved by Cr. Roberts and rejected by the Council</p> <p>“This Council notes that Government, in response to its earlier proposal has modified its intentions but it still proposes to sell 100,000 hectares, it still proposes to make the Forestry Commission staff redundant and it still proposes to abolish the Forestry Commission</p> <p>Therefore, this Council wishes to record its dissatisfaction with the overall strategy as known.”</p>
<p>Dec 2013</p> <p>Armed Forces Pension Scheme</p>	<p>Motion moved by Cr. Jennifer Evans.</p> <p>“This Council considers that those military personnel who have been made redundant just before their pension rights would become operational have suffered a grave injustice. Bearing in mind the Rushmoor Military Covenant, we call upon the Government and the Ministry of Defence to compensate those servicemen and women who have lost out by being made redundant close to a pension point.”</p> <p>[NB The scope of the RBC Armed Forces Community Covenant does not include redundancy selection criteria or pension policy.]</p>
<p>Feb 2015</p> <p>VAT</p>	<p>Motion moved by Cr. G.B. Lyon.</p> <p>“Whilst the Council recognises that Rushmoor is working on proposals to provide greater protection for public houses through the planning system, it is concerned that pubs in Aldershot and Farnborough and throughout the country are under threat and therefore calls on the Government to play their part by levelling the playing field between pubs and supermarkets by reducing the VAT pubs pay on food and drink to that paid by supermarkets.”</p>
<p>Feb 2011</p> <p>EU Budget</p>	<p>Motion moved by Cr. G.B. Lyon.</p> <p>“The Council notes, due to the financial mess which the Westminster Government inherited, Rushmoor needs to play its part in balancing the books by making massive savings in its budget. This Council notes, despite opposition of some MPs and MEPs, the Government is likely to agree a further 2.9% increase in the overall EU budget.</p> <p>This Council believes the EU should be treated like other tiers of Government and should share responsibility, with central and local Government, for making savings in public spending.</p> <p>This Council therefore urges the Government and MEPs not to support an increase in the EU budget.”</p>

Other Local Authority Rules

- 4.3 Some local authorities have a similar scope for motions as Rushmoor, but others take a different approach by focussing on issues on which the Council has a direct role.

Authority	Scope for Notices of Motion
Portsmouth	As long as the Notice of Motion is received before the 12 days [notice] it will be placed on the agenda unless... it is not a matter within the jurisdiction of Council.
Thurrock	A notice of motion must relate to a matter which affects the authority or the authority's area and must relate to a matter in respect of which the authority has a relevant function.
Kirklees	Every motion shall be relevant to some matter in relation to which the Council has powers or duties and which affects the area of Kirklees.
Waltham Forest	Motions must be about matters for which the Council has statutory responsibility and that affect the community.

5. CONCLUSION

- 5.1 The Committee proposes that the following change to Standing Order 9(6) will encourage a focus on local issues on which the Council may be able to take action, and thereby using the full Council's time effectively:

"Every motion shall be relevant to some matter in relation to which the Council has powers or duties ~~or which affects the Borough directly.~~"

6. RECOMMENDATION

- 6.1 The Council is recommended to:

- (i) agree the proposed change to the provisions relating to Notices of Motion; and
- (ii) approve the following amendment be made to Council Procedure Rule (Standing Orders) 9(6), to read as follows:

"Every motion shall be relevant to some matter in relation to which the Council has powers or duties."

NOTE: If approved, Recommendation (ii) will stand adjourned without discussion until the Council Meeting on 19th April, 2018.

A. JACKMAN
CHAIRMAN
LICENSING AND GENERAL PURPOSES COMMITTEE