

## RIBBLE VALLEY BOROUGH COUNCIL REPORT TO POLICY AND FINANCE COMMITTEE

Agenda Item No.12

meeting date: TUESDAY, 2 APRIL 2019  
title: ANNUAL REVIEW OF STANDING ORDERS (PART 4 OF THE COUNCIL'S CONSTITUTION)  
submitted by: CHIEF EXECUTIVE  
principal author: SOLICITOR

### 1 PURPOSE

- 1.1 To revise the Council's Standing Orders (Part 4 of the Council's Constitution) to ensure clarity.
- 1.2 Relevance to the Council's ambitions and priorities:
  - Council's Ambitions – N/A
  - Community Objectives - N/A
  - Corporate Priorities – To be a well-managed Council.
  - Other considerations – It is important that our constitution is kept up-to-date.

### 2 BACKGROUND

- 2.1 Section 37 of the Local Government Act 2000 provides that every Local Authority is required to prepare and keep up to date a constitution containing amongst other things a copy of its Standing Orders.
- 2.2 The Council's constitution is very much a living document. It has been divided into parts and these parts are accessible on the Council's website.
- 2.3 The Council's Head of Legal and Democratic Services, in her role as Monitoring Officer undertakes a review of the Council's Standing Orders each year. Standing Orders are contained in Part 4 of the Constitution.

### 3 ISSUES

- 3.1 The Council's Standing Orders are the rules, which govern the conduct and proceedings of the Council's meetings (including those of its committees and sub-committees). This Council approved the last amendments to the Council's Standing Orders in March 2018.
- 3.2 Following the review, just one area has been identified as requiring a change to the drafting to ensure clarity of meaning and completeness. This relates to Standing Order 26.26 where members are entitled to attend meetings of committees or sub-committees of which they are not members and may speak with the permission of the committee or sub-committee.
- 3.3 To bring Standing Order 26.26 in line with the Council's practice as at Standing Order 13.11 relating to members speaking at Council, there needs to be a time limit

imposed of not more than 5 minutes, except with the consent of the committee or sub-committee.

#### 4. LEGAL REQUIREMENTS

4.1 Article 11.3 of the Council's Constitution provides that the Council will only approve changes to the Constitution after consideration of the proposal by the Monitoring Officer.

4.2 The Council's Head of Legal and Democratic Services, in her role as Monitoring Officer, has considered the proposed change and supports it.

#### 5. RISK ASSESSMENT

5.1 The approval of this report may have the following implications:

- Resources – The Council's Solicitor will make any necessary changes and put new documents onto the website. New paper booklets containing the Standing Orders will need to be produced for Members and Officers.
- Technical, Environment and Legal – The amendments will ensure the Council can deal with legal and technical matters more effectively.
- Political – No implications identified.
- Reputation – No implications identified.
- Equality & Diversity – No implications identified.

#### 6. **RECOMMENDED THAT COMMITTEE**

6.1 Approve the change as outlined in 3.3 of the report.

6.2 Refer the suggested change to the Council with a recommendation for their approval.

STEPHEN BARKER  
SOLICITOR

MARSHAL SCOTT  
CHIEF EXECUTIVE

#### BACKGROUND PAPERS

Constitutional documents which are set out on the Council's website.

For further information please ask for Stephen Barker on extension 3216.