

Hampshire Fire and Rescue Authority

Standards and Governance Committee

Item: 10

11 December 2013

Amendment to Standing Orders

Report of the Clerk

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1 Summary

- 1.1 This report enables the Committee to consider whether any change to HFRA's Standing Orders is required in relation to the procedure for a member of the Authority to propose a Motion for inclusion on the agenda either for a meeting of the Authority or a committee.

2 Recommendations

- 2.1 That consideration is given to whether HFRA's Standing Orders should be amended as provided in Para 4.1 of the report, and a recommendation made to the Authority accordingly.

3. Introduction and Background

- 3.1 At its meeting on 26 September 2013, the Authority considered a report in response to a request received by a member of the Authority that an item, in the form of a proposed motion be placed on the agenda of the meeting for consideration by the Authority. The matter was dealt with in accordance with Standing Order 12, which enables a member, by giving 10 working days notice, to place an item on the agenda of an Authority or committee meeting, so that the meeting can decide what, if any, action should be taken in respect of it. If the meeting agrees that further action is required, officers will be requested to submit a full report on the matter to the next appropriate meeting.
- 3.2 In dealing with the matter, the Authority did however note that, technically, there is no specific provision included within the existing Standing Orders regarding notices of motion, as may be included on some other local authorities' standing orders. It was agreed that the Standards and Governance Committee should consider whether any change to Standing Orders is required.

4 Draft Notice of Motion Procedure

- 4.1 Consideration has been given to similar procedures in other local authorities' standing orders, enabling members to propose notices of motion to be considered at meetings. Should the Committee consider that such a procedure is appropriate for HFRA meetings, the text of a typical procedure, which could be adopted as Standing Order 5A, is set out below:

"Standing Order 5A

Notices of Motion

1. A member who proposes to place a Motion on the agenda either for an Authority or committee meeting must give notice in writing to the Clerk, signed by the Authority member or members giving notice, and delivered 10 working days before the date of the meeting of the Authority or committee meeting. The Clerk will keep a record of all such Motions received under this Standing Order which may be inspected by any member of the Authority.
2. All Motions submitted under this Standing Order will be set out on the agenda for the meeting of the Authority or committee meeting in the order they were received. A Motion may only be withdrawn in writing by the member who originally submitted it.
3. The requirement regarding submission of the notice in writing and signature shall not apply where notice is given by email, authenticated by the identification of the Authority member concerned.
4. A Motion which has been placed on the agenda under this Standing Order must be formally moved at the meeting by the member who submitted it. If it is not moved it will be treated as abandoned and shall not be moved without fresh notice, unless the Authority agrees to postpone it.
5. The Authority shall only consider a Motion under this Standing Order if it relates to some matter on which the Authority has powers or duties or which directly affects the Authority as a whole.
6. A Motion under this Standing Order, after being moved and seconded, shall be debated by the Authority unless immediately following the seconding of the Motion, the Authority resolve to refer the Motion to any committee of the Authority. Upon being so resolved, the Motion shall stand referred, without discussion, to any such committee as the Authority may determine for consideration and report to the next meeting of the Authority, unless circumstances necessitate a report to a later meeting.
7. A member of the Authority who has proposed a Motion under this Standing Order which has been referred to a committee of the Authority, shall have notice of the meeting at which it is proposed to consider the Motion and, if

they attend, shall have the opportunity of explaining it, but shall not take part in the voting”.

- 4.3 In considering whether change is required, it is suggested the Committee has regard to what if any of the steps set out in para 4.2 above could not be reasonably achieved within existing Standing Order 12, and how significant that may be. If it is felt that Standing Order 12 is sufficient for the Authority’s purposes, no change would be required.

5 People Impact Assessment

- 5.1 The proposals in this report are considered to be compatible with the provisions of the equality and human rights legislation.

6 Resource Implications

- 6.1 There are no resource implications of the proposed action.

Section 100D – Local Government Act 1972 – background papers

The following documents disclose the facts or matters on which this report, or an important part of it, is based and has been relied upon to a material extent in the preparation of this report.

N.B. The list excludes:

Published works.

Documents that disclose exempt or confidential information as defined in the Act.

TITLE

FILE

None.