

MAIDSTONE BOROUGH COUNCIL

COUNCIL

6 DECEMBER 2017

REPORT OF THE DEMOCRACY COMMITTEE 15 NOVEMBER 2017

AMENDMENTS TO THE CONSTITUTION

Issue for Decision

On 6 December 2017 the Democracy Committee considered amendments to the Constitution. These included:

- A 'six month rule' in relation to motions, where if motions are put to council that either rescind previous motions or are similar to motions previously rejected over the last six months then a third of councillors are required to have signed the notice of motion; and
- A provision that all proposed amendments to the budget at Budget Council meetings be submitted in advance of the meeting, so that Officers can ensure that a balanced budget can be set if amendments are agreed.

Recommendations Made

1. An amendment to the Council Procedure Rules to insert the 'six month rule' with regards to motions as set out in paragraph 1.8 of the report (Appendix 1 to this report) is approved.
2. The number of members required to sign the notice of motion as set out in paragraph 1.8 of the report (Appendix 1 to this report) is a third of all councillors.
3. The proposed amendment to the Council Procedure Rules with regards to the submission of amendments to the budget decision meeting of Council as set out in paragraph 1.13 of the report (Appendix 1 to this report) are agreed.
4. The Monitoring Officer is instructed to make the agreed changes to the Constitution.

Reasons for Recommendation

The rationale behind making these changes to the constitution is contained within the report to Democracy Committee, attached as Appendix 1 to this report.

Alternatives Considered and Why Not Recommended

The Council could choose not to insert a 'six month rule' on motions to council. However if the Council does not insert this rule into the constitution, it could lead

to inconsistent decision making or the revocation of a decision that was in the process of being implemented.

The Council could choose not to introduce a procedure rule requiring amendments to the budget to be submitted in advance. However this would mean the Council risks not setting a balanced budget if amendments are introduced at the Council meeting and there is not time to understand the implications on the budget of the amendments.

Background Documents

Appendix 1: Amendments to the Constitution Report to Democracy Committee
15 November 2017