

CYNGOR SIR POWYS COUNTY COUNCIL.

Full Council
23rd February, 2023

REPORT AUTHOR: Head of Legal Services and the Monitoring Officer

SUBJECT: Constitution – Section 4 - Speaking on Motions

REPORT FOR: Decision

1. Purpose of Report

- 1.1 Members will recall that on the 13th October 2022 it considered a report from Democratic Services Committee (“ DSC”) in which certain recommendations were made to Council with regard to the speaking times on motions. Those recommendations were not accepted by council who asked that the matter be reconsidered by the Democratic Services Committee.
- 1.2 This issue was reconsidered by the Democratic Services Committee on 9th January 2023 and the purpose of this report is for council to consider the further recommendation recommendations from the Democratic Services Committee.

2. Background

- 2.1 Section 4 of the Constitution currently states in relation to speaking on Motions at Council:

Content and Length of Other Speeches

- 4.47.1 Non aligned Members and a nominated principal speaker from each Political Group will be able to speak on each motion with all Members having a right to speak to raise additional or different issues in the debate.
- 4.47.2 Speeches in accordance with 4.47.1 above must be directed to the motions under discussion or to a personal explanation, point of order or right of reply. The proposer of a motion may speak for no more than 10 minutes; otherwise no speech may exceed 5 minutes without the consent of the Chair. ▲ ■

Closure Motions

- 4.54.8.2 if an amendment has been moved and seconded before a closure motion has been passed by Full Council, that amendment must be discussed immediately but will be subject to the following restrictions:
 - The debate on the amendment cannot exceed a maximum of 30 minutes in total, save for the exercising of the Chair’s discretion.
 - the proposer will have a maximum of 5 minutes to speak on the amendment;
 - the relevant Portfolio Holder(s) will have a maximum of 5 minutes to speak on the amendment;
 - the seconder and all other speakers will have a maximum of 3 minutes to speak on the amendment;

4.54.8.4 a single new amendment to the substantive motion (as amended if appropriate) will be allowed if properly seconded, but will be subject to the following restrictions:

- the first new amendment proposed and seconded will be considered and no further proposed amendments will be considered;
- The debate on the new amendment cannot exceed a maximum of 30 minutes in total, save for the exercising of the Chair's discretion.
- the proposer will have a maximum of 5 minutes to speak on the new amendment;
- the relevant Portfolio Holder will have a maximum of 5 minutes to speak on the new amendment;
- the seconder and all other speakers will have a maximum of 3 minutes to speak on the new amendment;

2.2 The previous Council agreed to undertake a trial reducing the time allowed for speeches from 10 and 5 minutes to 5 and 2 minutes.

2.3 The revised speaking times have been utilised at Council meetings since November 2020, (with the exception of the Annual Meeting and Budget Meetings) and were reviewed by the Democratic Services Committee on 5th September, 2022 who have made a recommendation to Council that the trial times of 5 minutes for proposers and 2 minutes for everyone else should be adopted on a permanent basis. The Democratic Services Committee took the view that the speaking times allowed in the trial period did not appear to have restricted Members' ability to propose the motion, second it or make comments upon it within those timescales.

2.4 The Democratic Services Committee's recommendations were considered by the Council on 13th October, 2022.

2.5 The minute of the Council meeting held on 13th October, is set out below:

"Council considered the recommendations of the Democratic Services Committee on speaking times on motions at Council meetings. For some time the Council had trialled five minutes for proposers and everyone else two minutes and the Democratic Services Committee had recommended that this become a permanent change.

Concern was expressed that two minutes was not long enough to allow for debate and it was proposed that the Democratic Services Committee should look at this again. The Chair of the Committee accepted the point and said that he would be happy for the Committee to look at this again. It was proposed by County Councillor Aled Davies and seconded by County Councillor Elwyn Vaughan and unanimously

RESOLVED to refer this back to the Democratic Services Committee for further consideration."

2.5 It would appear that at the Council meeting on 13th October 2022 was no dissent by Full Council to the speaking time for proposers of 5 minutes and that the issue was only around the speaking time for seconders and other speakers (including Portfolio Holders) (proposed as 2 minutes).

2.6 When the matter was reconsidered by the Democratic Services Committee on 9th January 2023, the Committee agreed that a compromise of five minutes for proposers and three minutes for everyone else (including portfolio holders) would be recommended for consideration by Full Council at the start of the Council meeting on 23rd February 2023 so that the decision of Council could be implemented with immediate effect and used for the remainder of the Council meeting on 23rd February 2023 and thereafter. The Democratic Services Committee took into account the fact that the Chair of Council always had a discretion to be lenient with the times allowed.

3. Recommendations

Democratic Services Committee Recommends to Council the following :	Reason for Recommendation:
<p>1. To amend the Rules 4.47.2 , 4.54.8.2 and 4.54.8.4 of the Constitution with immediate effect to provide for speaking times in relation to motions of five minutes for proposers and three minutes for everyone else (including portfolio holders) on a permanent basis.</p> <p>2. That the Head of Legal Service and the Monitoring Officer be required to amend Section 4 of the Constitution to reflect the decision in 1 above at the earliest opportunity.</p>	To revise the speaking time for motions in Section 4 of the constitution following the trial agreed by Council in November 2020.

Relevant Policy (ies):	
Within Policy:	Y
Within Budget:	Y

Relevant Local Member(s):	N/A
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Person(s) To Implement Decision:	Clive Pinney
Date By When Decision To Be Implemented:	With immediate effect

Contact Officer:	Wyn Richards, Scrutiny Manager and Head of Democratic Services.
Tel:	01597-826375
Email:	wyn.richards@powys.gov.uk

Background Papers used to prepare Report: