

CYNGOR SIR POWYS COUNTY COUNCIL.

**Democratic Services Committee
05 September, 2022**

REPORT AUTHOR: Head of Legal and Democratic Services
SUBJECT: Constitution – Section 4 - Speaking on Motions

REPORT FOR: Decision

1. Purpose of Report

1.1 The Committee is asked to consider an amendment to Rule 4.47.1 of the Constitution in relation to speaking times for motions together with consequential amendments to Rules 4.54.8.2 and 4.54.8.4 (if required) for recommendation to the Council for approval.

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. ▲ ■

2.2 There was a discussion during the previous term of Council whether the length of speeches was too long based on the experience of the consideration of motions at Council and this matter was referred to the Democratic Services Committee for consideration. In November 2020 the Council resolved following the recommendation of the Democratic Services Committee:

- (i) **to reduce the speaking time for proposers and seconders of motions from 10 minutes and 5 minutes to 5 minutes and 2 minutes respectively and that these changes be trialled at three Council meetings [excluding the annual meeting].**
- (ii) **that a trial of nominated speakers on behalf of political groups be undertaken at 3 Full Council meetings, followed by a review of the trial by the Democratic Services Committee.**

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) but have not been the subject of a review by the Democratic Services Committee.

- 2.4 Based on the observations of Council meetings the trial times (5 minutes and 2 minutes) have not appeared to have restricted Members' ability to propose the motion, second it or make comments upon it within those timescales. The Chair of Council also does have discretion to allow a Member additional time if required. However, Members' views are sought based on their experience of speaking at Council.
- 2.5 If the Committee takes the view that the revised times are appropriate the Committee is asked to consider:
- (i) amending Rule 4.47.2 to the effect that the speaking times for proposers, seconders and other speakers relation to motions is as follows - 5 minutes for a proposer of a motion and 2 minutes for a seconder and other speakers.
 - (ii) Whether Portfolio Holders should be given more than 2 minutes to respond. Under Rule 4.54.8.2 (see paragraph 2.6 below) a Portfolio holder has 5 minutes to respond to an amendment in the event that an amendment is superseded by a closure motion. For the avoidance of doubt and to remove any anomaly, the Committee may consider that Portfolio holders should also have the right to respond for up to 5 minutes (or for such shorter time as the Committee considers appropriate).
 - (iii) whether this amendment will apply to all motions or will not apply to the following:
 - Annual Meeting of Council (as motions are not considered at this meeting) and
 - Budget meetings (where the current rules are 5 minutes for proposers and 2 minutes for seconders and other speakers), where additional time may be required.
- 2.6 Should the Committee accept paragraph 2.5(i) above, the Committee is also asked for consistency to consider amending the following Rules in relation to speaking times for seconders and other speakers which would also become 2 minutes each:

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;

Recommendation:	Reason for Recommendation:
<p>1. That the Committee decides whether it wishes to recommend amend the speaking times in relation to motions to 5 minutes and 2 minutes on a permanent basis.</p> <p>2. That the Committee decides the speaking time allowed for Portfolio holders</p> <p>3. That the Head of Legal Service and the Monitoring Officer be asked to prepare a draft revision of Section 4 of the Constitution to reflect the decisions in 1 and 2 above for consideration by the Council.</p>	<p>To revise the speaking time for motions in Section 4 of the constitution following the trial agreed by Council in November 2020.</p>

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:	

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Background Papers used to prepare Report: