

CONSTITUTIONAL AMENDMENTS AND REPORTING

FULL COUNCIL



DATE	19 th July 2023
PORTFOLIO	Leader
REPORT AUTHOR	Alison McEwan/Carol Eddleston
TEL NO	01282 477259 / 475973
EMAIL	democracy@burnley.gov.uk

PURPOSE

1. To consider:
 - i) An addition to Council Procedure Rule (CPR) 14.5 to enable a member to speak more than once to read notes on behalf of another member who cannot speak.
 - ii) increasing by one the number of elected member appointments on Burnley Together Steering Group and Growth Lancashire on the Outside Bodies list which is approved by Full Council at its Annual Council meeting, and
 - iii) appointing one additional elected member to each of Burnley Together Steering Group and Growth Lancashire for the remainder of the 2023/24 municipal year.

RECOMMENDATION

2. That Full Council:
 - i) Approve the following addition to CPR 14.5 ***(g) to speak on behalf of another member who is present at the meeting but as a result of incapacity is unable to speak (either on a temporary or permanent basis), the other member may read out from the incapacitated members own written representations.***
 - ii) agree that the number of elected member appointments on Burnley Together Steering Group and Growth Lancashire each be increased from one to two on the Outside Body list which Full Council approves at its Annual Council meeting, and
 - iii) appoint one additional elected member to each of Burnley Together Steering Group and Growth Lancashire, from the nominations received, for the remainder of the 2023/24 municipal year.

REASONS FOR RECOMMENDATION

3. To ensure that members are able to participate and be represented in meetings.
4. To ensure that the Council maintains appropriate representation on Outside Bodies following requests from the Leader of the Council in relation to Burnley Together Steering Group and from Lancashire County Council in relation to Growth Lancashire.

SUMMARY OF KEY POINTS

5. One of our members is living with a neurological condition, which amongst many other symptoms causes them on occasion to experience temporary speech 'paralysis' for a period lasting anywhere from a few seconds to a matter of minutes.

The member has requested an adjustment be made so that when they are experiencing one of these episodes another member may read out their contribution (from notes) on their behalf.

This raises two matters for consideration:

- a. If the other member has already spoken on the matter they are prevented from speaking again by CPR 14.5 (*A member who has spoken on a motion may not speak again whilst it is the subject of debate.*) There then follows a list of exceptions, none of which is appropriate for this circumstance.
- b. The opportunity to speak again may present the chance to put forward more of the speakers own agenda, rather than that of the member on whose behalf they speak.

Officers have considered whether this would be achievable and could take account of the issues raised above and propose that Members should consider the following addition (g) to the list of exceptions at CPR 14.5. This has been worded sufficiently to cover other similar situations which may arise.

CPR 14.5

A member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- (a) to speak once on an amendment moved by another member;
- (b) to move a further amendment if the motion has been amended since he/she last spoke;
- (c) if his/her first speech was on an amendment moved by another member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried);

(d) in exercise of a right of reply;

(e) on a point of order;

(f) by way of personal explanation; and

(g) ***to speak on behalf of another member who is present at the meeting but as a result of incapacity is unable to speak (either on a temporary or permanent basis), the other member may read out from the incapacitated members own written representations.***

6. Appointments to Burnley Together Steering Group are currently subject to qualifications and accordingly, at Annual Council on 23rd May, Full Council approved the appointment of Councillor Lubna Khan as Executive Member for Community, Health and Environmental Services, along with the Chief Executive and the Head of Policy and Engagement to represent Burnley Borough Council on the group.

The Steering Group now wishes for there to be a second elected member appointment and the Leader has asked that this be an 'experienced Opposition member'. To enable this to be put in place before the next municipal year, nominations have been sought via Group Leaders and Full Council is asked to make an appointment for the remainder of the 2023/24 municipal year. If there is more than one nomination a vote will take place in accordance with Council Procedure Rules.

Subject to any other change(s) to the appointments to this group, it is intended that in future years nominations for an 'experienced Opposition member' will be requested from Group Leaders as part of the wider nominations to Committee Seats, Committee Chairs and Outside Bodies process.

7. The one current appointment to Growth Lancashire is qualified to the Executive Member for Economy and Growth and accordingly, at Annual Council on 23rd May, Full Council approved the appointment of Councillor Mark Townsend as the Council's representative.

Lancashire County Council administers Growth Lancashire and has indicated that it would be helpful if the Council would nominate an alternate member. This alternate position is not subject to any qualification. Again, to enable this to be put in place before the next municipal year, nominations have been sought via Group Leaders and Full Council is asked to make an appointment for the remainder of the 2023/24 municipal year. If there is more than one nomination a vote will take place in accordance with Council Procedure Rules.

Again, subject to any other change(s) to the appointments to this body, it is intended that in future years nominations for an 'alternate member' will be requested from Group Leaders as part of the wider nominations to Committee Seats, Committee Chairs and Outside Bodies process.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

8. None.

POLICY IMPLICATIONS

9. None.

DETAILS OF CONSULTATION

10. Member Structures and Support Working Group.

BACKGROUND PAPERS

11. None.

FURTHER INFORMATION

PLEASE CONTACT:

Alison McEwan / Carol Eddleston