

**To the Chair and Members of the  
COUNCIL**

**CHANGES TO THE COUNCIL'S CONSTITUTION**

**EXECUTIVE SUMMARY**

1. This report presents to Council a proposed revision to the Council's Constitution in response to an issue which has arisen since the Constitution was last reviewed in October 2012.

**RECOMMENDATIONS**

2. It is recommended that Full Council agrees the provision at paragraph 6(A) of this report removing the requirement for Members to stand whilst addressing the Chamber.

**WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?**

3. Full Council now meets in a purpose-built Chamber with fixed seating and a state of the art audio facility which allows persons attending vastly improved visibility and hearing compared to the previous arrangements, when Council meetings were held at the Mansion House. It is also appropriate to recognise that not everyone enjoys full mobility and the requirement to stand when speaking or otherwise seek a dispensation, is potentially discriminatory. For these reasons, it is appropriate to review the requirement.

**BACKGROUND**

4. The Council's Constitution sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. Some of the processes are required by law, whilst others are chosen by the Council.
5. Paragraph 25.1 of Council Procedure Rules, require that Members must speak when addressing the Council Chamber. The requirement to stand to speak dates back to the time when Full Council was based at the Mansion House. Standing to speak was necessary in order to ensure that the speaker could be heard. Thankfully the installation of a modern audio system in a new purpose-built Council Chamber has made the need to stand for this reason unnecessary. Standing to address the Chamber can also be seen as a mark of respect to the Chair. Currently, if a member has difficulties standing due to disability or ill health they are required to seek a dispensation from the Chair to allow them to speak whilst remaining seated. Requiring Members who may be disabled, or otherwise have mobility issues, to have to apply for a dispensation in such circumstances would be

contrary to the principles of the Equality Act 2010.

## **OPTIONS CONSIDERED**

6. (A) Delete paragraph 25.1 of the Council Procedure Rules and remove the requirement for Members to stand whilst addressing the Chamber (Recommended).
- (B) Do not delete paragraph 25.1 of the Council Procedure Rules and thus maintain the current requirement for Members to stand whilst addressing the Chamber

## **REASONS FOR RECOMMENDED OPTION**

7. As detailed within the body of the report, the requirement to stand whilst addressing the Council Chamber is no longer required since the move to a modern, purpose-built Chamber with tiered seating and a modern audio system.

## **RISKS AND ASSUMPTIONS**

8. The proposed revision detailed in this report does not carry out any particular risk to the Authority.

## **LEGAL IMPLICATIONS**

9. There are no specific legal implications arising out of this proposed change to Council Procedure Rules. As this is a change to the Council's Constitution, a decision of Full Council is required to adopt the change.
10. Arrangements are in hand to expand the current facilities within the Chamber to allow for the audio and video recording of Council meetings and, potentially, other meetings in the Chamber. It is anticipated that a report on these arrangements, including the introduction of a protocol and any necessary further changes to the Constitution, will be brought to the next meeting of Council.

## **FINANCIAL IMPLICATIONS**

11. There are no specific financial implications arising out of this report

## **HUMAN RESOURCES IMPLICATIONS**

12. There are no specific Human Resources implications arising out of this report

## **TECHNOLOGY IMPLICATIONS**

13. There are no specific technology implications arising out of this report

## **EQUALITY IMPLICATIONS**

14. The present position in the Council's Constitution is that Members must stand to address the Chamber. Those Members who have difficulty standing through reasons of ill health or disability must apply to the Chair of Council for a dispensation allowing them to remain seated. Requiring Members who may be disabled to do this is not consistent with the provisions of the Equality Act 2010 and would be in breach of that Act.

## **BACKGROUND PAPERS**

15. None.

## **REPORT AUTHOR & CONTRIBUTORS**

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