

CONSTITUTION COMMITTEE

8 JANUARY 2018

Present: Councillor Goodway(Chairperson)
Councillors Berman, Burke-Davies, Carter, Keith Jones,
Goddard, Jones-Pritchard, Kelloway, McKerlich and Wong

15 : APOLOGIES

An apology was received from Councillor McEvoy.

16 : DECLARATIONS OF INTEREST

No declarations of interest were received.

17 : MINUTES

The minutes of the meeting 25 October 2017 were approved as a correct record and signed by the Chairperson.

18 : COUNCIL MEETING PROCEDURE RULES

Further to consideration by this Committee at its meetings 31 August and 25 October 2017, and consultation with Group Leaders and Whips, the Director of Governance and Legal Services' report was submitted for approval and recommendation to Full Council on the changes to the procedure rules for meetings of Council.

The proposed changes related to the following matters:

- A rule to limit tributes and eulogies;
- A limit of two Ordinary Motions per meeting;
- To provide that Cabinet Green Papers debated at Council are to be counted as part of the leading group's allocation of Ordinary Motions;
- A rule that amendments to Ordinary Motions must not negate the original motion;
- A right for the Cabinet Member to reply to a motion and (with the agreement of the mover and seconder) to move that the vote be adjourned to the next meeting, in order to give the Cabinet the chance to consider the matter first;
- A requirement that Cabinet Statements to be circulated with the Council agenda;
- To remove Cabinet Members and Assistants to Cabinet Members from the calculation of the leading group's proportional allocation of Oral Questions;
- To remove the provision for a second supplementary question on oral questions;
- To provide for composite answers to oral questions which are closely related or on the same subject matter, whenever appropriate;
- To allow political groups to identify their preferred speakers in advance on particular matters if they wish to (but retaining the discretion of the Lord Mayor); and
- To include the current time limits on agenda items within the Rules, with discretion for the Lord Mayor to extend them.

There was general consensus within the Committee on the proposed changes with the exception of an objection by the Liberal Democrat Group on the removal of the

second supplementary question on Oral questions, as this was seen as a diminishing the ability of backbenchers to ask spontaneous questions.

It was also proposed and agreed that Cabinet and Assistant Cabinet Members be not included in the calculation on the allocation of motions and the minimum number of motions be reduced to one.

It was also agreed that a new time limit for submission of motions be introduced so that Motions are received earlier and should more than two motions be received for one Council meeting the Chair of Council should decide which motions go forward to the meeting, in consultation with Group Whips. Motions should be prioritised having regard to factors such as the urgency of the Motion; any policy or other significance to the Council; and the number of Motions already submitted by that group. Clarification was also sought on composite answers to Oral Questions and it was confirmed that each Oral Questioner will have an opportunity to ask a supplementary questions if a composite answer is given.

Finally it was agreed that the relevant Cabinet Member would have a right to respond to a motion related to their responsibility and could with the agreement of the mover and seconder, move that the vote on the motion be adjourned to the next meeting, in order to give the Cabinet the opportunity to consider the matter first. Any outcome from the Cabinet consideration would be reported in the Cabinet Member Statement to the next Council.

As there was consensus across the Committee it was therefore proposed that a report be submitted to Council 25 January 2018

RESOLVED – THAT

1. the proposed changes as set out in Appendices A and B of the report were agreed and to include also: -
 - To change the allocation rules for Ordinary Motions by deducting Cabinet Green Papers from the leading group's allocation; removing Cabinet members and Assistants to Cabinet members from the proportionality calculations; and reducing the minimum number of Motions for any recognised political group to one;
 - To introduce a 'Submission Period' (which brings forward the deadline) for Ordinary Motions in order to allow time for party groups to agree the selection of Motions if there are more than the maximum number (of 2) for a particular Council meeting;
2. the changes be recommended to Full Council on 25 January 2018 for approval with effect from Annual Council 24 May 2018, subject to review after one year.

19 : SCRUTINY CALL-IN RULES

The Scrutiny Chairs Liaison meeting in August 2017, proposed that the Scrutiny Procedure Rules be amended in relation to when a matter had been subject to pre-decision scrutiny that a Call-In should *only* be permitted if there had been significant new or additional information, which had not been previously considered by the Scrutiny Committee. This would avoid unnecessary duplication of work and Member and officer time.

Members were content with the Scrutiny Chairs proposal and recommended that the amendment to Rule 12 Call-In Procedure of the Scrutiny Procedures be submitted to Full Council for approval.

RESOLVED – That

1. the proposed amendments to the Scrutiny Procedure Rules, as shown in Appendix B to the report were approved; and
2. the recommendation of the Constitution Committee be submitted for approval at full Council on 25 January 2018.

20 : FORWARD WORK PLAN 2017-18

The main work stream for the Committee in 2017/18 is to develop improvements to aspects of the Constitution, in particular in relation to making Council meetings more effective, giving greater transparency to how decisions are made and the way the Council and its officer functions.

RESOLVED – That

1. the Committee approved the items coming forward to the next meeting of the Committee;
2. it was noted that meetings in the next municipal year would be approved by Annual Council in May.

21 : DATE OF NEXT MEETING

RESOLVED – That the next meeting be held on Monday 5 March 2018 at 5.00pm (venue to be advised).

The meeting terminated at 5.55 pm