

REVIEW OF CONSTITUTIONAL CHANGES TO COUNCIL PROCEDURE RULES

Purpose of the Report

1. To provide Members with an opportunity to review key constitutional changes previously agreed, and to provide discussion points for further potential changes to the Council procedure rules.

Background

2. The Constitution Committee undertook a review of the Council's Scheme of Delegations and Council Procedure Rules and made recommendations to Council which were approved at the meeting on 20th July 2006. The Committee subsequently, at its meeting on 13 October 2006, agreed to further amend the Council Procedure rules in regard to Notices of Motions.

Issues

3. The Council has been working within the current version of the Council Procedure Rules for a number of meetings over a period of more than six months. This period has provided practical experience of how the new rules impact on the Council's decision-making arrangements and the Committee will wish to consider whether the Council Procedure Rules require any further amendments.
4. In particular, the Committee may wish to consider the impact of the changes to the Council Procedure Rules specifically relating to:
 - Questions on notice at Council; and
 - Notices of Motions

Council questions

5. At its last meeting, on 1 December 2006, the Committee considered a report regarding the Implementation of Constitutional Changes which highlighted practical difficulties that had emerged regarding the answering of the increasingly large number of "oral" questions since the new system of

providing written answers for questions was implemented at the September Council meeting.

6. It has proven extremely difficult, and very costly, for officers to effectively respond to the numbers of questions being submitted within the prescribed timescales that require responses to be collated, printed and delivered to the venue for the Council meeting by 3.30 pm. The Clerk to the Council had previously suggested to the Committee that it would be helpful if the deadline for the submission of questions could be brought forward from 9 am on the last working day before Council to 12 noon on Tuesday, but the Committee, during the course of its early deliberations, and stated that it did not wish to alter deadlines for receipt of questions. However, the Committee requested that the position be monitored and that a report on the matter be brought back to this Committee for consideration.
7. The position regarding the handling of oral questions has been monitored over a number of months and an analysis of the number of questions considered by Council from January 2006 to April 2007 is attached as Appendix A to this report. An approximation of the cost of responding to such questions will be available at the meeting of the Committee.

Notices of Motions

8. The existing Council Procedure Rules sets an overall limit (of 20) on the number of Motions to be considered by Council in a Municipal year. These Motions are then allocated by agreement between political groups and such allocation reviewed annually by the Council's Business Committee.
9. The current allocation, based on rules of proportionality but not including Executive Members in the number of Liberal Democrat Councillors, is as follows:

Liberal Democrat: 7 Motions
Labour: 8 Motions
Conservative: 3 Motions
Plaid Cymru: 1 Motion
Independent: 1 Motion
10. At a recent meeting of the Standards & Ethics Committee, attended by Group Whips, the fairness, in terms of good governance, of this allocation was raised as a potential item for consideration by that Committee.
11. The Constitution Committee may wish to consider the allocation of Motions to party Groups, prior to the matter being considered by the Standards & Ethics Committee.

Legal Implications

12. The Local Government Act 2000 requires the Council to keep its Constitution under review and up to date, and Article 14 of the Constitution provides for Review and Revision of the Constitution. The Council has delegated to the Constitution Committee authority:

'To review the Council's Constitution, and to recommend to Council and/or Executive any changes, except that the Committee will have authority (subject to the Monitoring Officer's advice) to make the following changes on behalf of the Council:-

- (a) Drafting improvements to enhance clarity and remove minor anomalies.
- (b) Updating to reflect legislative changes and matters of record.
- (c) Amendments to the Financial, Contracts and Land Procedure Rules (subject to the advice of the S.151 Officer being sought).'

Financial Implications

13. This is a report concerning Council procedural matters and as such does not contain any direct financial implications.

Recommendation

Members of the Committee are recommended to review the effectiveness of amendments made to the Council Procedure Rules, on particular those rules relating to Questions and Notices of Motions.

Kate Berry

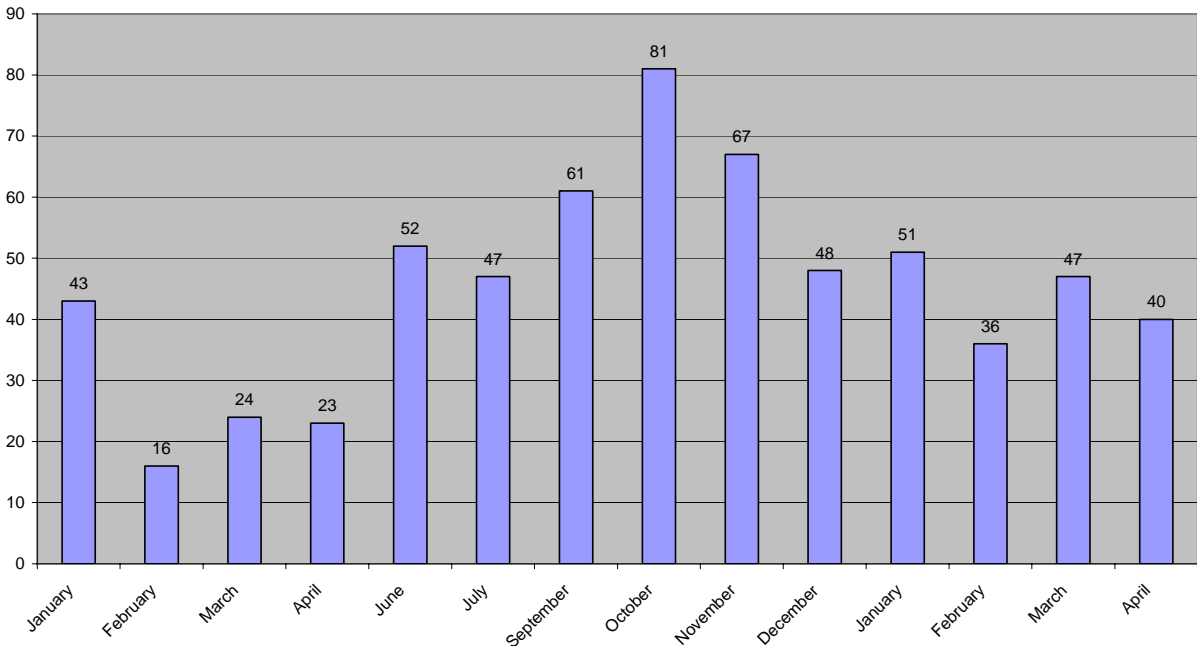
Chief Legal and Democratic Services Officer (Monitoring Officer)

Dated: 4th June 2007

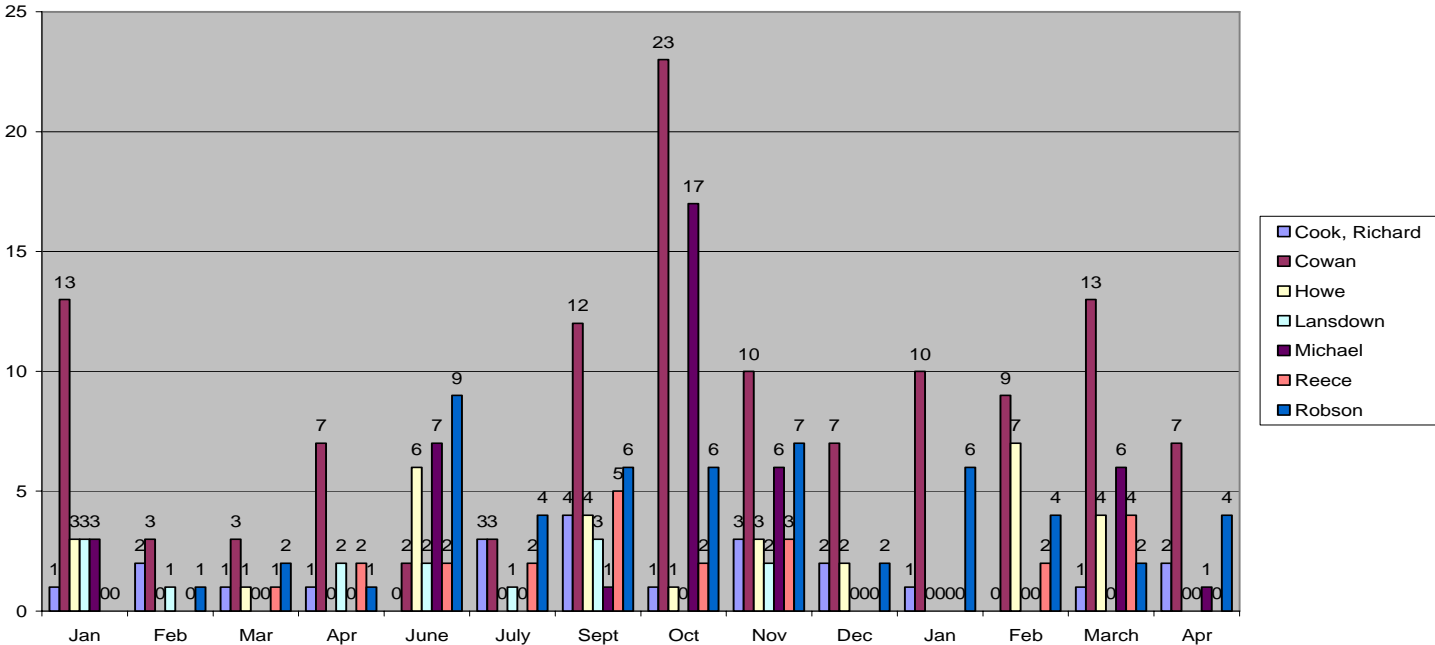
Appendices:

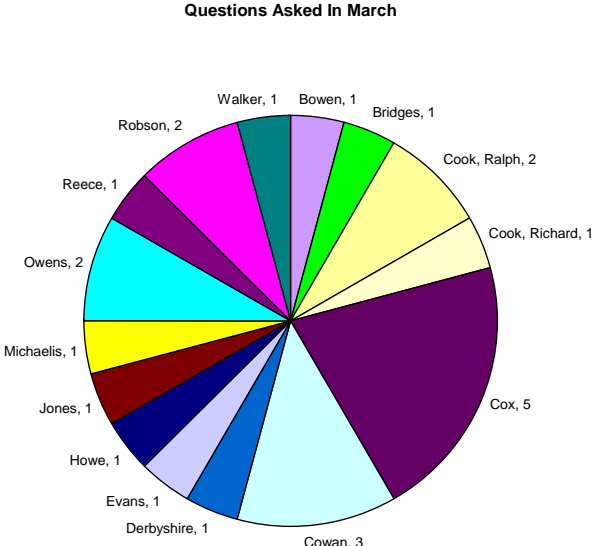
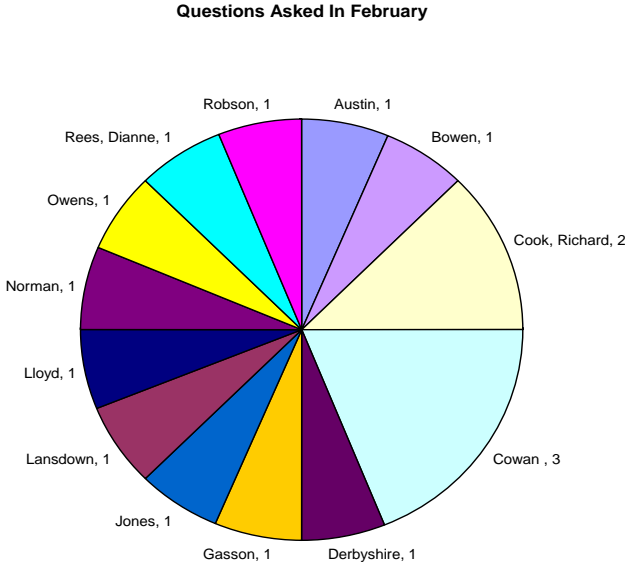
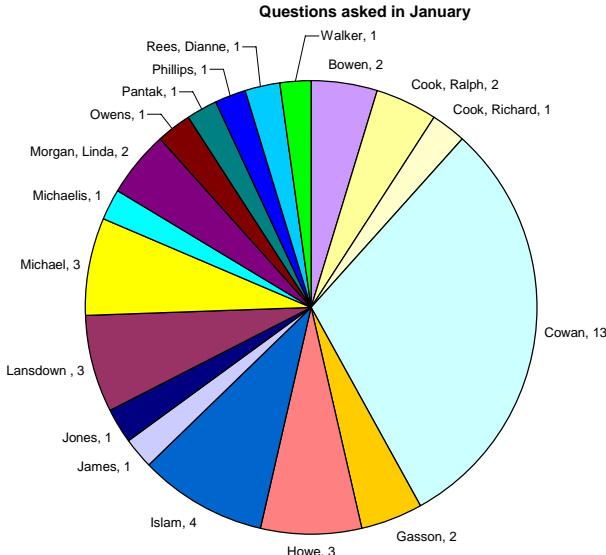
Appendix A: Analysis of questions considered by Council – June 2006 – April 2007.

Total Number of Questions Asked

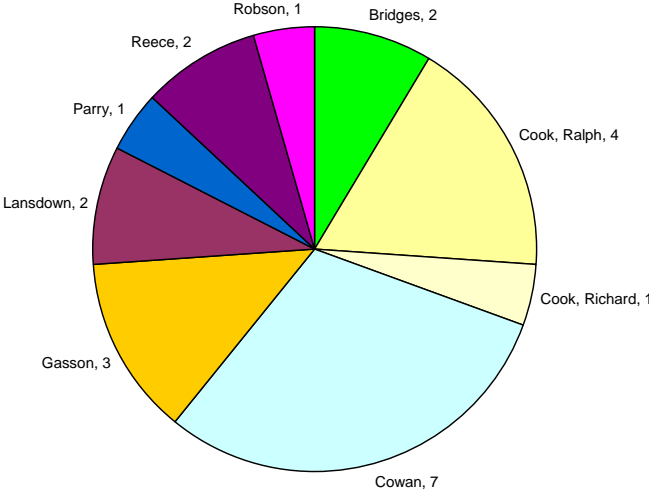


Questions Per Month By Selected Councillor

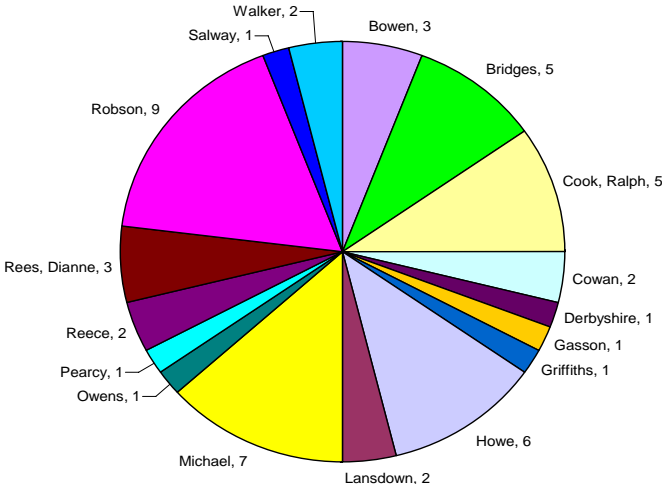




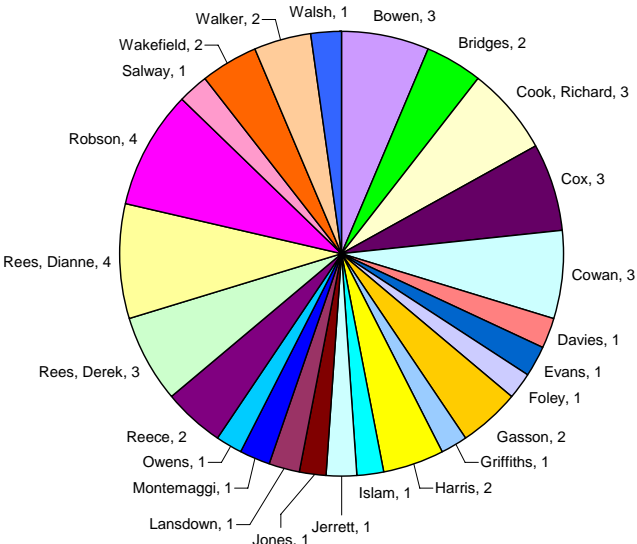
Questions Asked In April



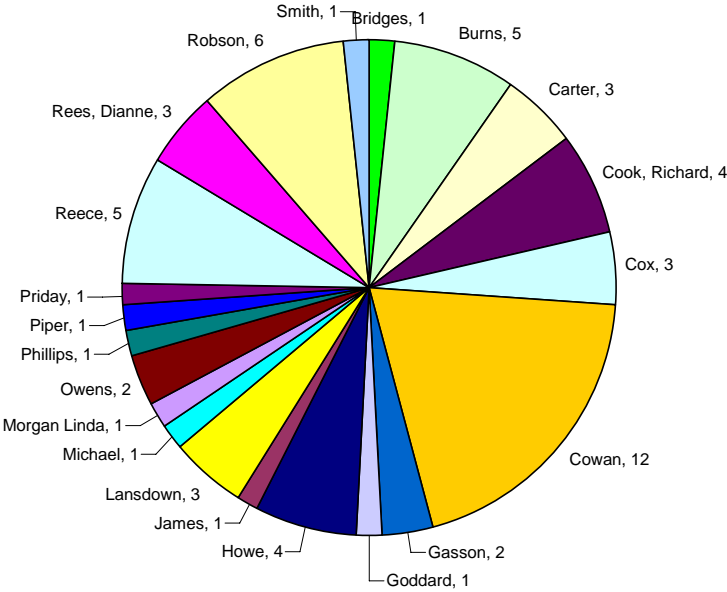
Questions Asked In June



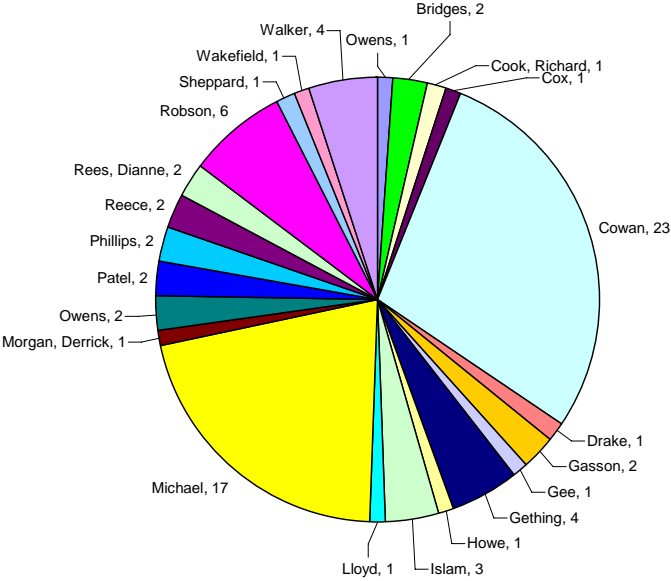
Questions Asked In July



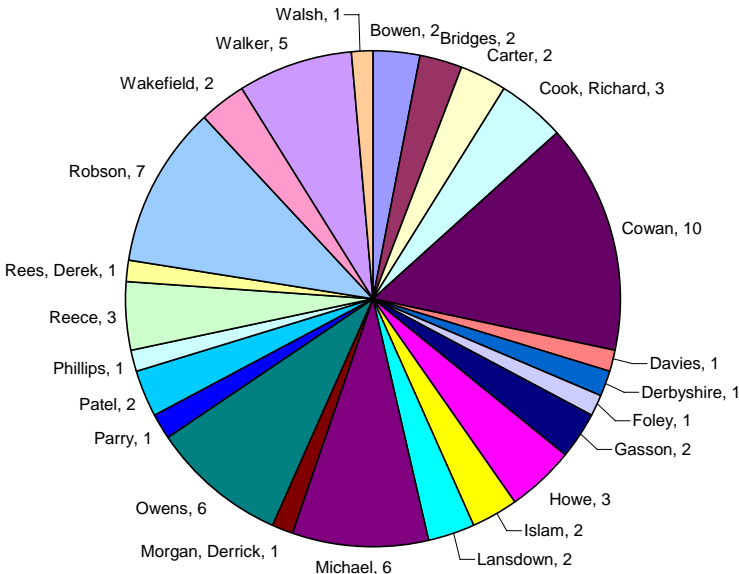
Questions Asked In September



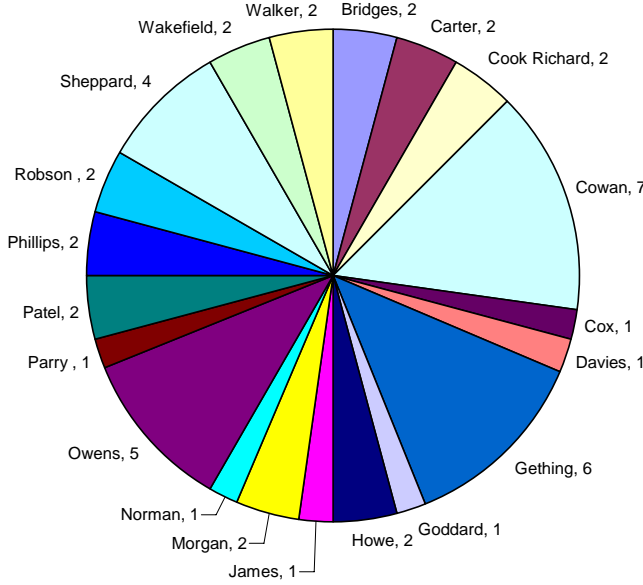
Questions Asked In October

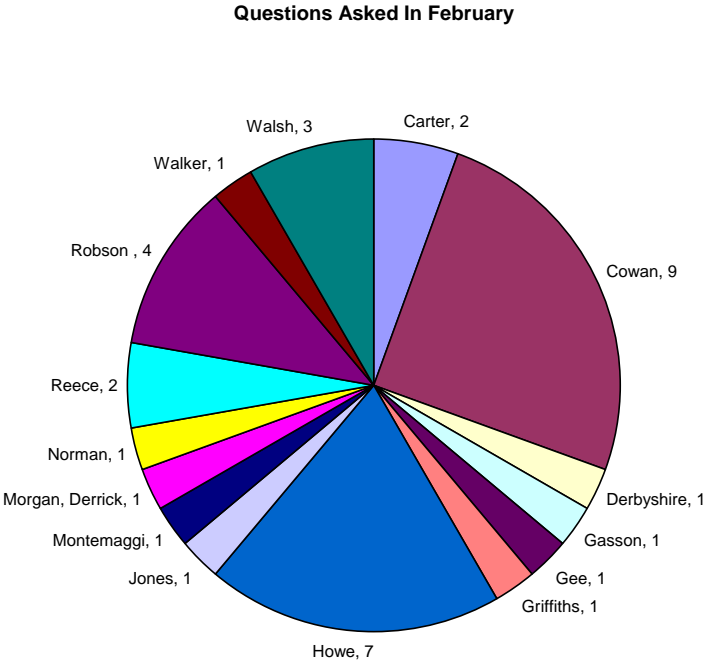
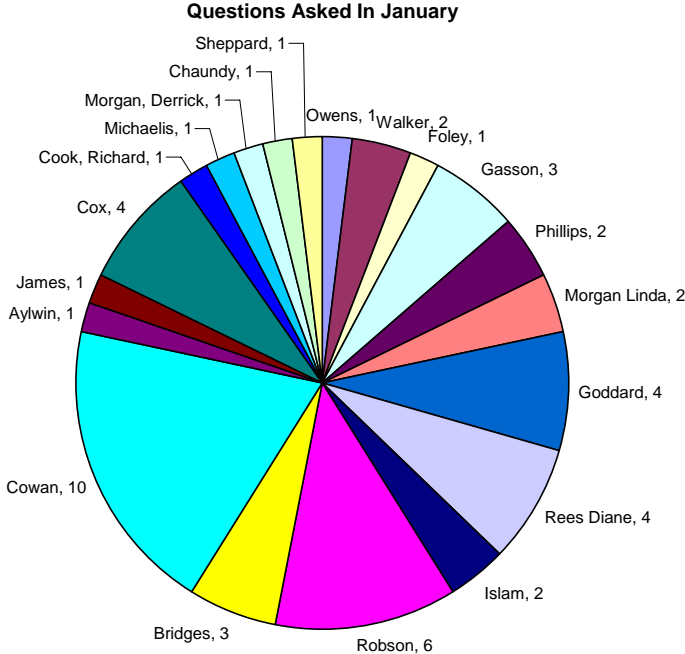


Questions Asked In November

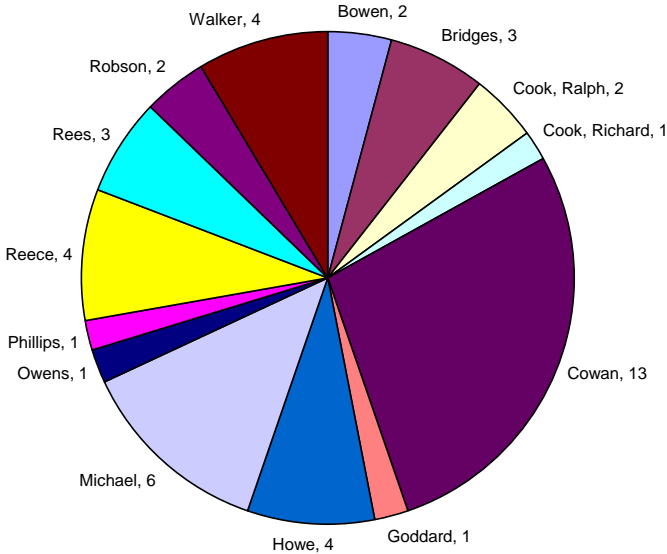


Questions Asked In December





Questions Asked In March



Questions Asked In April

