

CONSTITUTION COMMITTEE

28 NOVEMBER 2016

Present: County Councillor De'Ath(Chairperson)
County Councillors Aubrey, Dilwar Ali, Goodway, Gordon,
Hinchey, Margaret Jones, Knight, Patel and Walker

9 : APOLOGIES

Apologies were received from Councillor Magill.

10 : DECLARATIONS OF INTEREST

There were no declarations of interest.

11 : MINUTES

The minutes of the meeting 21 September 2016 were approved as a correct record and signed by the Chairperson.

12 : REVIEW OF THE COUNCIL'S CONSTITUTION - COUNCIL PROCEDURE RULES

The Committee received a report setting out options for discussion and review of any potential changes to elements of the Council Procedure Rules in light of discussion with Party Group Leaders and Whips.

The Director of Governance and Legal Services referred to Appendix 1 of the report which identified the current rules; opportunities to change; and data collated from the Member Council meeting Survey which was set out in Appendix 2 and the Committee discussion was centred around each of the elements.

The following comments were made: -

Frequency of Meetings:

- There was support for dropping to 8 meetings per year by removing July meeting (during holiday time), but noted that this would leave a long gap between June and September meetings.
- If the agreement was to keep to 9 meetings improvements be made to the management and timing of meetings.
- There were some general concerns that reducing to less than 8 meetings per year would create a democratic deficit and the holding of the Executive to account.

Time Limit on Council meetings:

- There was broad agreement that Council meetings were too long and a break was needed to be factored in.
- The optimum time limit should be set at 21.00pm with a 30 minute break any outstanding items for decision would be put straight to the vote and any oral questions would be responded to in writing.

- No limit be set for the Budget Council meeting and the meeting be run in accordance with the Budget Procedure Rules.
- Consideration be given earlier start time for meetings.
- Consideration be given to theming meetings by portfolio area/s.
- It was recognised that not all Members remained for the whole of the meeting.

Oral Questions by Councillors:

- Reduce the time for questions from 90 to 60 minutes.
- There was broad agreement to reduce the current maximum of 30 questions to 20, reducing the allocation to each group.
- The ruling group not have the greatest number of questions.
- It was felt that oral questions were being asked so that the quota was used and were not genuine questions.
- Oral questions to relate to policy matters, and not relate to matters affecting only one ward - unless questioner can demonstrate that they have not been able to obtain a written response through the usual channels.
- Members were in agreement that questions on statements were more effective than oral questions, however it was recognised that questions could only relate to matters raised in the statement, and the time allocated for questions on statement was limited. It was noted that statements were rotated at each meeting.
- It was noted that the Leader and Cabinet Members had taken on board request from two previous Chairs of Council on regular statements to Council and for the statements to be circulated the day before the meeting. It was felt that statements could be prepared sooner, and published on the website.
- Opposition member oral questions to be taken first. It was noted that this was the current process.

Supplementary Questions:

- It was questioned whether supplementary questions should be allowed at all.
- It was important to keep one supplementary from the original questioner so that they can follow up on the answer provided.

Members were conscious that some oral questions were being brought forward because Members were struggling to get a response through other channels.

Allocation of Notices of Motion:

- It was noted that the current allocation was 20 motions per year allocated proportionally with a minimum of 2 per Group.
- It was considered that the current number of motions could be reduced;
- That there be a maximum of 2 motions per meeting which would equate to 14 motions over the 7 formal meetings excluding Budget and Annual Council.
- Motions which relate to national matters where Cardiff Council has no genuine influence be excluded and that motions be confined to Council business; policies or budget matters.
- That the ruling group do not have the greater share of motions;
- The ruling group have no motions and the item be as 'Opposition Business' and given a half hour to one hour time slot;
- Groups have an allocation of speakers for each Motion.

The merits of Member Debates trialled earlier in this administration were discussed which provided opportunity for one off debates on matters of policy or Council related topics. It was recognised that these were in essence the same as Notice of Motion other than it provided all non- executive Members an opportunity to request a debate, and allowed engagement from individual Members, without Party Group influence, and Independent Members who would not have an opportunity to bring forward Notices of Motion. It was recognised that if these were re-introduced then it would add to the length of Council meetings.

Time allocated to speakers during debates:

- The time management of the agenda for meetings could be reviewed with the proposed reduction in questions and motions.
- It was noted that timings for debate were discussed with Whips and the Chair of Council before the agenda is finalised, but it was suggested more could be done to ensure that items are timed better; speakers do not over run; and reduce the number of interruptions.
- It was suggested that Cabinet Members should only speak on matters within their portfolio.
- Other options were to reduce speaker's time from 3 to 2 minutes and proposers of reports and positions from 6 to 4 minutes – with the exception of speaking time for Budget Council proceedings.

In a general discussion matters were raised around:

- Scrutiny process and the use of Call-In of decisions.
- Ensuring that Council meetings are effective use of time and resources.
- Matters of conduct are dealt with effectively at meetings.
- The adherence to the rules on Point of Order and Personal Explanation.

The Director of Governance and Legal Services confirmed that the outcomes from this meeting would be drawn up into a report for discussion at next Constitution Committee to enable a recommendation if agreed to be submitted to Council. As part of the process Party Group Leaders and whips were encourage to consult within their groups and feedback to the Director.

RESOLVED – That

1. the report and the findings of the survey of Members on Council meetings be noted;
2. a report drawing together conclusions from the discussions on the review of the elements of the Council Procedure Rules identified in Appendix A of the report be provided to the next meeting of the Committee.

13 : DATE OF NEXT MEETING - 9 February 2017 at 5.00pm

This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg