

REVIEW OF THE COUNCIL MEETING PROCEDURE RULES

**REPORT OF THE DIRECTOR OF GOVERNANCE & LEGAL
SERVICES & MONITORING OFFICER**

Reason for the Report

1. The purpose of this report is to provide Committee Members with the opportunity to consider proposed changes to the Council Meeting Procedure Rules and to recommend them to the new Council in May 2017.

Background

2. At its last meeting, in November 2016, the Constitution Committee considered options for changing various aspects of the Council Meeting Procedure Rules, in light of the results from a Members' Survey and discussions with party group leaders and whips.
3. The Committee considered the full Members' Survey Results, which were also summarised follows:

Frequency of Council Meetings:

- 43% of respondents thought we have too many full Council meetings.
- 57% of respondents said they would agree to fewer full Council meetings.
- Majority of opposition members did not support this.

Time Limit on Council Meetings:

- 83% of respondents think Council meetings are too long.
- A majority of Members support having a time limit for the meeting, after which any remaining matters could be put straight to the vote or deferred to the next meeting.
- Views on the proposed end time varied from 7.00pm through to 10.00pm; with most respondents suggesting 8.00 or 8.30pm.

Oral Questions by Councillors

- 46% of respondents thought that Oral Questions were an important part of the business of Council;
- 67% of opposition members thought that Oral Questions were an important part of the business of Council;
- 49% of respondents answered yes to supporting having Members' Questions dealt with in a different way.

Allocation of Notices of Motion

- 71% of respondents (25 of those who responded) think the allocation of motions should be reviewed.
 - There was no clear agreement on how allocation should be made, although the proposal which had the highest number in favour was that opposition groups be allocated a minimum of three each with the remainder allocated proportionately.
4. The Committee made comments in relation to each area identified for potential change, as well as a number of other observations regarding the current arrangements, and instructed the Monitoring Officer to develop proposals for change for further consideration by the Committee.

Issues

5. The key areas of the Council Meeting Procedure Rules which have been identified for amendment, the comments noted at the last Committee meeting, and the proposed changes in respect of each area are shown in **Appendix 1** to this report. Members are invited to consider and agree the changes to be made, subject to the approval of full Council.
6. A number of other observations and suggested changes were also made by individual Committee members, including:
- i. Council meetings should be themed to focus in depth on different issues, allowing for Members' questions on particular portfolio areas, with a 2 hour meeting time limit.
 - ii. Cabinet Statements are sometimes repetitive, addressing matters which are already in the public domain; whereas they should be more focussed on portfolio policy matters and decisions taken.
 - iii. Questions on Cabinet statements should be limited, for example to 6 or 8 questions, in order to keep within the 30 minute time allocation.
 - iv. Further research and analysis should be undertaken for the Committee to consider: (i) the type of Council decisions being made currently and projected over a 4 to 5 year cycle, with an indication of which decisions are necessary; and (ii) comparative data on the procedures adopted in other local authorities eg. Bristol, Birmingham, Nottingham and Swansea.
 - v. The personal explanation rule and its use should be considered again.
 - vi. The powers of the Chair and the proper exercise of those powers should be further considered to enable the Chair to manage debate more effectively – to ensure that all Members have an equal opportunity to contribute to the debate and to focus the debate on relevant issues.
7. Members are invited to consider whether they wish to pursue any of the issues raised in the paragraph above; and to instruct the Monitoring Officer accordingly.

Legal Implications

8. The Local Government Act 2000 requires the Council to keep its Constitution under review and up to date. Article 14 of the Constitution provides for its review and revision.
9. Under its Terms of Reference, the Constitution Committee is authorised by the Council to review the Council's Constitution, and to recommend to Council any changes. Any changes to the Council Meeting Procedure Rules require the approval of full Council.

Financial Implications

10. There are no financial implications arising from this report

RECOMMENDATIONS

The Committee is recommended to:

- i. Agree the proposed changes to the Council Meeting Procedure Rules, as set out in Appendix 1, with any further amendments considered appropriate;
- ii. Instruct the Monitoring Officer if the Committee wishes to pursue any of the suggestions noted in paragraph 5 of the report; and
- iii. Recommend to full Council the changes agreed under Recommendation 1 above, to take effect from May 2017.

DAVINA FIORE

Director Governance & Legal Services & Monitoring Officer

24th February 2017

Appendices

Appendix 1 : Council Meeting Procedure Rules – Proposed Changes

Background Papers

Constitution Committee Report, Review of the Council Meeting Procedure Rules, November 2016

Members' Survey Results, November 2016