

Subject: Proposals for Transforming Meetings of Full Council
Date of Meeting: 9 March 2010 Governance Committee
29 April 2010 Council
Report of: Director of Strategy & Governance
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Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT

- 1.1 Full Council is responsible for agreeing the Budget and Policy Framework as well as having overall responsibility for all non-executive functions. Given the importance of its role and the fact that it is the largest and most important of meetings held by the Council, it is important that its proceedings are conducted efficiently and contribute to enhancing the Council's reputation in the eyes of the people it represents.
- 1.2 This report considers the current operation of the Council procedure rules and proposes some amendments to improve the way Council meetings operate.

2. RECOMMENDATIONS

2.1 That the **Governance Committee:**

- (i) Supports the proposed amendments to Council Procedure Rules as set out in paragraphs 4.3 (closure motion moved by Mayor), 5.4 (Members' Questions) 6.2 (Notices of Motion) and 8.2 (speaking times) and recommends to Council that they be approved.
- (ii) Agrees that, subject to Council approval, the changes come into force immediately after the Annual Council meeting in May 2010.

2.2 That full Council:

- (i) Approves the proposed amendments to Council Procedure Rules as set out in paragraphs 4.3, 5.4, 6.2 and 8.2 of the report.
- (ii) Authorises the Head of Law to amend the constitution to reflect the above, including making consequential drafting amendments.
- (iii) That the Changes come into force immediately after the Annual Council meeting in May 2010.

3. BACKGROUND INFORMATION

3.1 The meeting of Full Council remains the most important meeting held by the council and, for most people, is the most recognisable image that comes to their mind when they think of “the Council”. It is the only meeting where all 54 Councillors attend. Its proceedings are reported in the local press and a number of people watch its proceedings on the web (some 3000 in the last year) in addition to many who attend the actual meeting to present deputations, ask questions or just watch. How it is run has a direct impact on the Council’s governing reputation and perceived organisational competence. Having considered the way Council meetings have operated so far and having consulted Members of all the Political Groups, it is clear that aspects of the way the meetings are conducted are in need of urgent modification to ensure that they are focussed, engaging, not unduly long and relevant. This report puts forward some proposals for improvement while preserving the best of the current system.

3.2 The full Council holds 8 ordinary meetings a year, including Annual Council and Budget Council. The business transacted at these meetings consists of:

- approving the budget and some 20 plans and strategies that together constitute the policy framework;
- other matters that are, by law, reserved to full council, such as appointment of the Chief executive and granting the title of Freeman or Alderman;
- items referred to council for information, such as reports from Scrutiny with executive response;
- petitions, deputations and questions from the public, and
- questions and Notices of Motion from Members.

3.3 Although current arrangements are sufficient in terms of the minimum legal requirement necessary to discharge council business, they are not the best showcase for the Council. If left unchanged, council meetings in their current form risk being seen as long, not particularly interesting and not particularly relevant to the concerns and interests of local residents. This report looks at the current arrangements and suggests proposals for change.

4. DURATION OF COUNCIL MEETINGS

4.1 Council meetings start at 4:30 and usually finish around 10:30-11:00 P.M with half an hour’s break (a total of 6½ hrs). This is longer than in most councils and, apart from the obvious inconvenience to those attending, is not an efficient use of council time. A substantial proportion of the time is used for questions and Notices of Motion which, in many cases, do not make any difference to the residents of the City in terms of actual outcome.

4.2 The fact that meetings start at 4:30 may also make it difficult for people with employment and other business commitments to attend and it may have the unintended consequence of discouraging people from certain socio-economic

groups from becoming Councillors. However, there was no consensus among Members regarding changes to the start of meeting times. It is therefore not proposed to change it at this stage.

4.3 It is proposed that:

- (i) 4 hours after the beginning of the meeting (excluding any breaks/ adjournments) a closure motion is moved by the Mayor automatically if the meeting has not concluded by then.**
- (ii) the Mayor's closure motion be by way of termination of the meeting under Council Procedure Rule 17.**

4.4 In practical terms this means:

- Meetings of the Council would normally finish around 9:00 PM, but termination of the meeting will take place only if Council votes in favour of the closure motion;
- If the closure motion is carried, any unfinished business will be put to a vote without discussion;
- Any Member moving a report or a Notice of Motion may withdraw the report or Notice of Motion.
- Subject to the Mayor's discretion to refuse a Member's closure motion under CPR 17.2 (Mayor may reject a motion if a similar motion has been rejected earlier in the same meeting) any Member will have the right to move a closure motion under Council Procedure Rule 17.

5. MEMBER QUESTIONS

5.1 In most council meetings, we tend to have a disproportionately large number of Members' Questions. We have carried out a random survey of councils and the result is attached in Appendix 1. It is clear that Brighton & Hove has more Member questions than any of those surveyed.

5.2 Many of the questions asked tend to be of a technical nature or of a type which would be more suitable for an Officer response. It is also clear that there are very few questions, if any, tabled at Cabinet and CMM meetings.

5.3 The purpose of Members' Questions is to hold Members who are office holders to account for policy decisions and the political judgements they make rather than to test their knowledge of technical detail. Under current arrangements, when a member tables a question, a response is drafted by officers with a briefing and, when supplementaries are asked, the Member answering often relies on the relevant Director or lead Officer for the response. There is a need to move away from this to a more robust and meaningful question time.

5.4 It is therefore proposed that:

- (a) A period of 30 minutes be set aside for Oral Member Question time.**
- (b) That the order of questions be: Leader of the Official Opposition, Leader of the Green Group, Leader of the Lib Dems, then Members in the order of Conservative, Labour, Green and Lib Dem until the allocated 30 minutes is used at which time the meeting proceeds to the next business.**
- (c) The groups will submit the order in which they want questions taken. The Mayor will have discretion and flexibility on how this operates in practice, including allowing the Independent Member to ask a question.**
- (d) A Member asking a question (but not others) may ask one supplementary. No Member may ask more than one question.**
- (e) There be no requirement to give advance notice of the actual oral questions to be asked. However, a Member proposing to ask a question should give notice of intention to do so within current timescales for Member questions with an indication of the subject matter;**
- (f) Oral questions be limited to general policy rather than technical matters. If technical questions are asked the Mayor may disallow the question or the Member who is asked the question may decline to answer or state that a written response will be sent.**
- (g) The Monitoring Officer will develop guidance for Members on what is policy and what is a technical/operational matter which the Mayor and Members will have regard to in applying the criteria.**
- (h) Members may submit written questions as now. These will receive written answers with the questions and replies circulated with the addendum at Council (as now) but no “supplementary” questions.**
- (i) The current procedures continue to apply to Cabinet, Committees and CMMs.**

6. NOTICES OF MOTION

- 6.1** Debates on Notices of Motion take a significant proportion of Council time. As Notices of Motion cannot involve council making substantive decisions or decisions which relate to executive functions, many of them result in requests to write to ministers which usually receive polite responses but do not change anything. The need to enable council to express a view on matters that affect the wellbeing of the City is important, but it has to be balanced against the need to ensure an efficient dispatch of council business. A survey carried out in 2008 showed that Brighton & Hove used significantly more notices of motion than any of the authorities we contacted (see Appendix 2). A recent review of Notices of

Motion in the Council reveals that, in the 10 months to November 2008, there were 48 NOMs, which is even more than in previous years.

6.2 It is therefore proposed that:

(i) there be a limit on the number of Notices of Motion presented at Council so that there are no more than 2 Notices of Motion from the 3 largest Groups and no more than 1 from other Groups with any Member not belonging to a political group being able to table a motion at the Mayor's discretion.

(ii) In the event that more than the specified number of Notices of Motion are presented from any group, the relevant Group shall decide which ones it wants tabled. In the absence of such a decision, Notices of Motion from Members of a Group will be taken in the order in which they are received.

7. DELIBERATIVE/THEMED DEBATES

7.1 The council's Constitution allows for deliberative or themed debates, but these have hardly been used. They could serve a useful purpose by enabling a focussed, informed, well researched, in-depth debate on issues or policies of significance to the City and its residents. Deliberative debates do not result in a substantive decision but enable important issues to be debated in public with enough time devoted to enable detailed examination of policy. This could include an annual "State of the City" debate when the overall position and direction of travel of the Council and the City is debated (see procedure from Greenwich attached at Appendix 3 by way of example).

7.2 Having Consulted with Members, there was no overall support for introducing deliberative debates. It is therefore not proposed to proceed with this at this stage. It is however proposed to look at the possibility of introducing a "State of the City" debate in the future. Officers will consider this further and bring proposals to a future meeting of the Governance Committee for consideration.

8. SPEAKING TIMES

8.1 The current procedure rules allow 10 minutes for the proposer of a motion and 5 minutes for other speakers with extension of time granted with the Council's consent. Although, in some instances, there may be a need for this amount of time, most contributions to the debate could be made effectively in much shorter time. Shorter, more focussed contributions are also more likely to command the attention of the listener.

8.2 It is therefore proposed that:

(i) speaking times be limited to 5 minutes for the proposer of a motion and 3 minutes for all other speakers.

(ii) Council retains the power to grant an extension of time on a majority vote as now.

9. NEXT STEPS

- 9.1 Subject to the agreement of Full Council, it is proposed that the Changes proposed in this report come into effect immediately following Annual Council (at the same time as the changes introduced by the 12 months review of the Constitution.)

10. CONSULTATION

- 10.1 The proposals in this were consulted with the Leaders Group and all Political Groups in the Council. As a result of the comments received, the initial proposals were modified and some of them not proceeded with at this stage.

11. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications

- 11.1 There are no direct financial implications arising from this report

Finance Officer Consulted: Anne Silley

Date: 25/02/10

Legal Implications

- 11.2 The proposals in the report comply with legal requirements, including the Local Government Acts 1972 and 2000.

Lawyer Consulted: Abraham Ghebre-Ghiorghis

Date: 15/02/10

Equalities Implications

- 11.3 There are no direct equalities implications arising from this report.

Sustainability Implications

- 11.4 There are no direct sustainability implications arising from this report.

Crime & Disorder Implications

- 11.5 There are no direct crime and disorder implications arising from this report.

Risk and Opportunity Management Implications

- 11.6 None.

Corporate / Citywide Implications

- 11.7 The proposals will assist the Council in making its proceedings more efficient and contribute to the Council's reputation in terms of the way it conducts its business.

SUPPORTING DOCUMENTATION

Appendices:

1. Members Questions at Council Meetings 2009
2. Notices of Motion at Council Meetings
3. State of the Borough Debate from Borough of Greenwich

Documents In Members' Rooms

None

Background Documents

None

