

Crawley Borough Council

	Report No: LDS/12	D
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Report to General Purposes Committee

29 June 2009

Assessment of New Council Meeting Arrangements

1. Key Points

- 1.1 The Committee is asked in this report to review the new format for the Council agenda and the procedure for dealing with any business not concluded within two and a half hours. The new arrangements are being piloted at the February, April and July Council Meetings.

2. Recommendations

- 2.1 That, subject to any further revisions to the process which the Committee may wish to propose, the Council be asked to agree to amend the Constitution by revising Council Procedure Rule 2 to read as set out in the Appendix to this report.

ANN MARIA BROWN
Head of Legal and Democratic Services

3. Background

- 3.1 Following consideration of recommendations arising from a review of the Council's democratic decision making processes by the IDeA, the Council agreed, at its meeting on 17 December 2008 to pilot a new format for the Council agenda and a procedure for dealing with any business not concluded within two and a half hours. It was also decided to trial the new arrangements at the Council's Meetings in February, April and July.
- 3.2. This Committee is asked to assess the new arrangements and make recommendations to the Council which will be considered towards the end of the third trial meeting in July.

4. Council agenda

- 4.1 The main changes introduced as part of the pilot can be summarised as follows:-
- 4.1.1. In accordance with the procedure previously in place, items for debate (reserved items) as proposed by the political groups are listed on the Order Paper. Then, at the meeting, the Mayor asks if there are any other items that members wish to debate. These items are then the only ones for debate.
- 4.1.2. This is followed by one of the most significant changes in the new procedure. The reports of the Cabinet, Overview and Scrutiny Commission and the Committees are no longer moved by their respective Chairs. Instead, the Deputy Mayor moves the receipt of all of the reports en bloc (without going through them page by page). The Deputy Mayor also moves the adoption of the recommendations contained in the reports which have not been reserved for debate. A seconder is not required for either move.
- 4.1.3. The Council then deals with
- (i) any decision called-in in accordance with Scrutiny Procedure Rule 13;
 - (ii) the reserved items (including recommendations to full Council which have been reserved for debate). These are dealt with in the order set out in the Minute Book (subject to any ruling from the Mayor to the contrary)
- 4.1.4. In the case of a **previously resolved item** which has been reserved for debate (i.e. a matter where the decision has already been taken by the Cabinet or a Committee under delegated powers), a speech by the Member of the Council who has reserved the right to speak on the matter must not exceed five minutes. Normal debating rules then apply.
- 4.1.5. In the case of a **recommendation to the Council** which has been reserved for debate, the appropriate Portfolio Holder (in the case of the Cabinet) or Chair (in the case of a Committee) is entitled to speak first. They are then followed by the Councillor who has reserved the item, who may speak for five minutes. Normal debating rules then apply and the Portfolio Holder/Chair sums up at the end. All Cabinet decisions are moved by the Leader (unless the Leader did not chair the meeting).

- 4.1.6. More minor changes include the order in which some other items appear on the agenda.
- 4.1.7. Procedure Rule 2 in the Appendix to this report sets out the process which the Council has operated during the pilot.

5. 'Majority Vote to Continue'

- 5.1. The Council also agreed to pilot a new procedure relating to any business not concluded within two and a half hours. In these circumstances, unless the majority of the members present vote for the meeting to continue, all motions and recommendations which have not been dealt with will be deemed as formally moved and seconded (together with any amendments). No speeches will be allowed on these items and the vote will be taken in the usual way.
- 5.2. The full process is set out in Procedure Rule 2A in the Appendix to this report.

6. Matters for consideration

- 6.1. The intention of the new format is to streamline the procedure at Council meetings and to assist the Council in focussing on the more significant issues. The Committee is, therefore, asked to review the procedure and take a view on whether the new process has increased the efficiency of Council meetings and consider if the arrangements should be made permanent.
- 6.2. The mechanism to limit business to no longer than two and a half hours has only been used on one occasion when the Council voted not to deal with the outstanding items of business (Questions to Cabinet Members and Committee Chairs) and to close the meeting. Members may wish to consider how business could be further streamlined to ensure that, whenever possible, it can be completed within the allotted time.
- 6.3. The Committee may also wish to seek to clarify the position with regard to public question time and whether this should be for questions only and not be used by the public as an opportunity to make statements.
- 6.4. In addition, the Committee may wish to consider whether to recommend that the 'Majority Vote to Continue' requirement should also be applied to other meetings (with the exception of those committees and sub-committees with quasi-judicial functions e.g. licensing and standards hearings).

7. Links to the Corporate Plan

- 7.1. The proposals discussed in this report relate to the Corporate Plan priority of 'Our Council' (ensuring it is engaging, transparent, business-like with a social conscience, cost-effective and a place-shaping community leader)

8 Reasons for the Recommendation

- 8.1. To put in place a streamlined process to assist the Council in focussing on significant issues at Council meetings

9 Background Papers

- 9.1. Report LDS/3 of the Head of Legal and Democratic Services
Minutes of the meetings of the General Purposes Committee on
24 November 2008 and the Council on 17 December 2008

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APPENDIX A

That the Council be recommended to amend Council Procedure Rule 2 to read as follows:-

2. Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's annual meeting.

Ordinary meetings will

(i) elect a person other than a Member of the Cabinet to preside if the Mayor and Deputy Mayor are not present;

(ii) receive notification of apologies for absence;

(iii) receive any declarations of interest from members;

(iv) receive communications brought forward by the Mayor, Leader or the Chief Executive, including any urgent petitions.

(v) provide an opportunity for the Mayor to make presentations of awards as appropriate.

(vi) receive questions (not statements) from, and provide answers to, the public in accordance with Rule 9 in relation to matters which in the opinion of the person presiding at the meeting are relevant to the functions of the Council;

(vii) make appointments or fill vacancies on committees, joint boards, joint committees or other bodies.

(viii) approve the minutes of the last meeting;

(ix) prior to receiving the reports of the Cabinet, Overview and Scrutiny Commission and the regulatory committees, provide councillors with the opportunity to indicate which resolved items and recommendations they wish to reserve for debate.

(There shall be no debate on any item included in a report to the Cabinet, Overview and Scrutiny Commission, or of a regulatory committee, where the item in that report has been previously debated at an Extraordinary Meeting of the Council held earlier in the same committee cycle and where a decision has been made on that matter at the Extraordinary Meeting).

(x) receive the reports of the Cabinet, Overview and Scrutiny Commission and of the regulatory committees. The receipt of the reports will be moved by the Deputy Mayor (or the Mayor's nominee in the absence of the Deputy Mayor) and a seconder shall not be required for this motion.

(xi) approve 'en bloc' any unreserved items including any specific recommendations contained therein. Items requiring individual consideration as required by law shall not be dealt with in this manner. The unreserved items shall be proposed for approval by the Deputy Mayor (or the Mayor's nominee in the absence of the Deputy Mayor) and a seconder shall not be required for this motion.

(xii) Deal with

(a) any decision called in accordance with Scrutiny Procedure Rule 13

(b) the reserved matters in the order set out in the Minute Book (subject to any ruling from the person presiding to the contrary).

The reserved items which include a recommendation will be voted upon as each debate ends

In the case of a **previously resolved** item which has been reserved for debate, a speech by the Member of the Council who has reserved the right to speak on the matter must not exceed five minutes.

Normal debating rules will then apply.

In the case of a **recommendation to the Council** which has been reserved for debate, the appropriate Portfolio Holder or Chair will speak first in the debate. They will be followed by the councillor who has reserved the item, who shall be entitled to speak for five minutes. Normal debating rules will apply and the Portfolio Holder/Chair will then sum up at the end. All Cabinet recommendations shall be moved by the Leader (unless the Leader did not chair the Cabinet meeting).

(The minutes of any meeting of the Cabinet, Overview and Scrutiny Commission or regulatory committee held more than nine clear working days before the meeting will be submitted, except in the case of recommendations to Council or call-in arising from meetings held within the nine day period. In all other circumstances, the reports of such meetings will be discussed at the next following meeting of the Council)

(xiii) consider motions of which notice has been given under Council Procedure Rule Number 11.

(xiv) deal with Members' written questions under Council Procedure Rule No. 10.3;

(xv) receive any announcements from Members of the Cabinet, if necessary, on issues relating to their Portfolio not covered elsewhere on the agenda;

(xvi) deal with questions to Cabinet Members on general matters relating to their Portfolio,

(xvii) deal with questions to committee chairs on general matters relating to their Committees,

The order of business will be agreed by the Leader, the Mayor and the Vice Chair of the Cabinet prior to the issue of the summons for the meeting and may be varied at the meeting

(1) at the discretion of the Mayor;

(2) by a resolution passed on a motion (which need not be in writing) duly moved and seconded, which will be moved and put without discussion.

2A MAJORITY VOTE TO CONTINUE

Interruption of the meeting

If the business of the meeting has not been concluded within two and a half hours, unless the majority of Members present vote for the meeting to continue, the following procedure will be implemented

Motions and Recommendations not dealt with

If there are any other motions or recommendations on the agenda that have not been dealt with within the two and half hours, they are deemed formally moved and seconded (together with any amendments). No speeches will be allowed on these items and the vote will be taken in the usual way.

Recorded Vote

If a recorded vote is called for during this process, it will be taken immediately.

Motions which may be moved

During the process set out above, the only other motions which may be moved are that a matter be withdrawn or referred to an appropriate body or individual for decision or report.

Close of the meeting

When all motions and recommendations have been dealt with, the Mayor may declare the meeting closed.