

AD HOC SCRUTINY PANEL

A meeting of the Ad Hoc Scrutiny Panel was held on 27 March 2008.

PRESENT: Councillor Carr (Chair), Councillors Elder, Mawston, Purvis, Rostron, J Walker and Williams.

OFFICIALS: J Bennington, P Clark, C Davies and S Harker.

**** PRESENT AS AN OBSERVER:** Councillor Kerr (Deputy Mayor).

**** AN APOLOGY FOR ABSENCE** was submitted on behalf of Councillor Majid.

**** DECLARATIONS OF INTEREST**

No declarations of interest were made at this point of the meeting.

**** MINUTES**

The minutes of the meeting of the Ad Hoc Scrutiny Panel held on 29 January 2008 were taken as read and approved as a correct record.

FUTURE STRUCTURE OF COUNCIL MEETINGS

Further to the meeting of the Panel held on 13 December 2007 the Members' Office Manager presented a report including recommendations based on the Panel's previous discussions on ways of making Council meetings more inclusive and to better reflect the difference between the roles of the Council and the Executive.

The Panel focussed on the following areas previously highlighted by Members.

Council Cycle

Members agreed that the current Council cycle of six weeks should be retained.

Council Timing

The Panel agreed that a 7.00 p.m. start time should be retained for most meetings but that a 6.30 p.m. start should be adopted when there were presentations by outside bodies, presentation of awards or where 'Policy Conferences' were scheduled to take place.

Mayor's written report plus Mayor's statement to each meeting

Members had previously expressed the view that it was both legitimate and desirable for the Mayor to bring important matters to Council for information and discussion. In order to assist Members in keeping abreast of recent developments and directing relevant and considered questions to the Mayor, Members had expressed a preference to receive a written report from the Mayor, in addition to any verbal statement on urgent, important or recent matters.

The Panel had previously suggested that the Mayor should be asked to provide a written report to Council and also have the opportunity to make a statement (approximately 10 minutes) on urgent items. It had been suggested that consideration of the written report and any statement made by the Mayor should be limited to 30 minutes.

The Panel reaffirmed their view for the Mayor to provide a written report (to be placed at the front of the Executive Member booklet) in addition to a Mayor's Statement on urgent, important and recent matters which should be limited to 10 minutes unless in exceptional cases. Members reiterated that as a general rule the period of time for consideration of the written report and any statement of the Mayor should normally be 30 minutes in total.

Executive Reports

Members had previously made the following observations: -

- a) in general terms the present arrangements for consideration of Executive Member reports worked well;
- b) one of the changes made to the Constitution in 2006 which allowed comments as well as questions had been successful in 'freeing up' discussion in Council meetings;
- c) the current system of Executive Reports being distributed prior to a Council meeting should be retained;
- d) the Chair of the Council should be asked to enforce the current 30 minute limit on debate more rigorously;
- e) consideration should be given to limiting each Member to two minutes maximum, or
- f) introducing a requirement that any points to be raised in relation to Executive Member reports were submitted in writing to the Chair prior to the Council meeting;
- g) should (f) above be recommended it was considered that the period of notice required would have to be given careful consideration, the purpose of such notice was to give the Chair of the Council the opportunity to better manage the Council meeting and not to give advance notice to the Executive Members, or to allow the Executive Members to reject questions.

The Panel reaffirmed the general principles outlined above in particular giving advance notice to the Chair within a limited period of time of points to raise in order to assist with the planning of this section of Council meetings.

It was also emphasised that the current 30 minute limit on debate of the Deputy Mayor and Executive Members' Reports should be enforced more rigorously and that a period of 20 minutes should be allocated for consideration of and questions on the Mayor's written report.

In order to provide a more logical order to questions and achieve an appropriate balance it was suggested that although no changes be made to the current order of reports in the Executive Member booklet with the exception that should the Mayor have a written report this be placed at the front, each Executive Members' Report should be considered on a rotational basis.

Executive Members' Surgeries

Members had noted the success of 'Surgeries' held by certain Executive Members. Although they were not part of the Council meetings it was felt that they provided a useful forum for very local or specific Ward matters to be taken up outside the Council meeting. The Panel considered that extending such 'Surgeries' to all Executive Members could assist in the effective running of Council meetings.

Members reaffirmed their support to a formal system of Executive Member Surgeries to be held possibly once every two months.

Scrutiny Reports

The Panel had previously agreed that given that Scrutiny was one of the major roles of the Council, Scrutiny Reports should be discussed earlier in the order of business. The Panel had suggested that the order of business might be made more flexible and when major Scrutiny reports were being reported to Council these should be brought up the order of business to allow for a fuller debate.

In order to demonstrate more clearly the work undertaken as part of the scrutiny process the Panel reaffirmed the above principles and suggested that scrutiny reports to the Council include further details where appropriate.

Policy Framework

The Panel was of the opinion that major Policy Framework plans should be debated in draft form earlier in the preparation process so that Members could have input before plans were finalised. It was agreed that any such consideration by Members would be best conducted through the Scrutiny process, as this had a clear Constitutional remit for policy development.

'Policy Conferences'

Members had previously given much consideration to the possibility of having a clearly defined opportunity for major debates on current issues. It was suggested that 'Policy Conferences' could be held to discuss issues such as:

- Council policies;
- other matters of significant importance, for example the recently published Index of Multiple Deprivation for which there had been no opportunity for consideration by Members;
- recent and forthcoming legislation.

'Policy Conferences' were also seen as a forum for consideration of new ideas, suggestions and possible initiatives that the Council might wish to consider.

Members had considered whether such debates could be organised for example on a quarterly basis, to immediately precede the main business part of the Council meeting, or whether the 'Policy Conference' should be part of the official proceedings of the Council. On balance, Members had agreed that the 'Policy Conference' should be part of the official proceedings of the Council.

Members had expressed the view that the determination of topics for a 'Policy Conference' required careful consideration and planning to ensure that the Mayor, Executive Members, Scrutiny and other Members had the opportunity to set the agenda for discussion. It was considered important to ensure that 'Policy Conferences' were not simply an opportunity for extended discussion on matters that were important to the Executive. Members had concluded that the determination of topics would have to be jointly agreed by the Chair of the Council, in discussion with the Executive and Scrutiny.

The Panel had recommended that consideration be given to holding a 'Policy Conference' on a quarterly basis, for a fixed maximum period of one hour commencing at 6.30 p.m., followed immediately by the main business of the Council.

In supporting the previous suggestion the Panel in particular, referred to the need for careful attention to be given to the method of determining a topic and for the Chair of the Council to have a co-ordinating role.

Fixed business and alternating business

It was acknowledged that the Council had certain items of 'fixed business' that were considered at every meeting of the Council such as: -

- Apologies.
- Declarations of Interest.
- Minutes of previous meetings.
- Announcements and Communications.
- Presentation of Petitions (if any received).
- Public Questions (if any received).
- Members' Questions (if any received).
- Motions (if any submitted).

- Urgent items (if any).
- Business reports (e.g. Legal Officer reports etc, if required).

Other business needed to be included as and when it arose such as: -

- Presentations (by other organisations such as the Fire Authority and the Director of Public Health);
- Awards (for example Citizen of the Year Award).

The Panel reaffirmed their view that consideration could be given to certain items of business being considered at alternate meetings or perhaps two or three times a year, rather than on every Council agenda. Such items included:

- Mayor's question time.
- Executive Members' Reports.
- Scrutiny Reports.

Order of Business

The Panel had previously agreed that there was no ideal order of business and that, so far as possible, this should be set according to the content of items submitted for the agenda. Administratively however, it was noted that since items for Council were often received on the last day permissible to ensure that legal requirements were met (i.e. papers circulated five clear working days prior to a meeting), such decisions would have to be made within an extremely tight timescale and subject to the availability of the Chair, might not be practical.

In general terms the Panel had agreed that the order of business should be:

- a) Apologies.
- b) Minutes of previous meetings.
- c) Declarations of Interest.
- d) Announcements and Communications.
- e) Presentation of Petitions.
- f) Public Questions.
- g) Mayor's Report.
- h) Executive Reports.
- i) Scrutiny Reports.
- j) Policy Framework Reports.
- k) Urgent items.
- l) Members' Questions.
- m) Motions.
- n) Business reports.
- o) Business from last Council.
- p) Joint Arrangements/External Organisations.
- q) Any other business specified on the summons.

It had been noted, however, that on occasions the order of business might need to be changed to allow for earlier, later or extended discussion on certain matters.

The Panel reiterated that the time period for consideration of the Mayor's report and Mayor's Statement should as a general rule be 30 minutes and consideration of the Deputy Mayor and Executive Member Reports to be a maximum of 30 minutes. Members supported the current time limits in respect of Members' questions and of Motions to the Council.

The Panel suggested that consideration be given to items (g) and (h) above being replaced with: -

- g) Mayor's Statement (normally 10 minutes unless in exceptional cases)
- h) Mayor and Executive Reports (a maximum of 20 minutes for the Mayor's Report and a further 30 minutes maximum for the Deputy Mayor and Executive Members' reports).

The Deputy Mayor indicated the willingness of the Mayor to review the current structure of Council meetings. It was acknowledged that it was important to achieve a suitable balance between conducting the programmed business of the Council and providing an opportunity for appropriate discussion on relevant matters.

AGREED that the outcome of deliberations by the Panel as outlined above form the basis of a report to the Overview and Scrutiny Board and subsequent report to the Constitution Committee.