



AGENDA ITEM: 6

OVERVIEW & SCRUTINY BOARD

8 APRIL 2008

THE FUTURE STRUCTURE OF COUNCIL MEETINGS

Purpose of the Report

- 1 To present to Members recommendations for consideration in relation to the future structure of Council meetings.

Background

- 2 At its meetings of 13 December 2007 and 27 March 2008 the Ad Hoc Scrutiny Panel considered a number of possible recommendations to the Constitution Committee in relation to the future structure of Council meetings.
- 3 The Ad Hoc Scrutiny Panel made it clear that the aim of its considerations was to make recommendations to the Constitution Committee regarding ways in which to make Council more inclusive, and to better reflect the difference between the roles of the Council and the Executive.
- 4 The Ad Hoc Scrutiny Panel gave consideration to a number of matters. These are summarised in the following paragraphs.

Council Cycle

- 5 Members agree that 6 weeks is probably about right, and that this should be retained.

Council timing

- 6 Members agree that the 7 o'clock start time should be retained for most meetings. However, it is suggested that Council meetings should commence at 6:30 if there are presentations by outside bodies, presentation of awards, or where 'Policy Conferences' are scheduled to take place (see below).

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

- 7 Members are of the view that it is both legitimate and desirable for the Mayor to bring important matters to Council for information and for discussion.
- 8 Members expressed a strong preference for a written report to be provided from the Mayor, in addition to any verbal statement on urgent, important or recent matters. This would assist Members in directing relevant and considered questions to the Mayor.
- 9 Members agreed that the Council Agenda should in future include a Mayor's Statement, which should normally be limited to 10 minutes unless exceptional circumstances require a longer statement, and that the Executive Reports should in future comprise reports of the Mayor and Executive (see below).
- 10 The Ad Hoc Panel therefore recommends that the Mayor should in future be asked to provide a written report to Council, but that he should also have the opportunity to make a statement (of about 10 minutes) on urgent or otherwise important matters. Consideration of the written report and any statement made by the Mayor should be limited to a total of 30 minutes.

Executive Reports

- 11 Members are of the view that the present arrangements for the consideration of Executive Reports work well on the whole, but might be better managed. Members also agree that the changes made to the Constitution in 2006, which allow comments as well as questions, have been successful in 'freeing up' discussion in Council meetings.
- 12 The Ad Hoc Scrutiny Panel is of the view that the current system of Executive Reports distributed prior to a meeting should be retained but improved upon. As indicated above, Members are of the view that in future a written report from the Mayor should be included with the Executive reports. The Panel also agrees that the Chair of the Council should be asked to enforce the current 30 minute limit on consideration of Executive matters more rigorously. If in the future the written reports include a report from the Mayor, then a separate allocation of time, for example 20 minutes, should be given over to this.
- 13 With regard to managing the consideration of the Mayor's and Executive Reports, the Ad Hoc Panel recommends that the report of the Mayor should always be considered first, within the sort of time allocation indicated in the above paragraph. This should be followed by consideration of the Deputy Mayor's report. The reports of all the other Executive Members should then be considered, but this should be done on a rotating basis, and the 30 minute time limit should be rigorously enforced.

- 14 Consideration might also be given to limiting each Member to 2 minutes maximum, or introducing requirement that any points to be raised in relation to Executive Reports are submitted in writing to the Chair prior to the Council meeting. If the latter is to be considered by the Constitution Committee, then the period of notice required would have to be given careful consideration. The purpose of prior notice would be 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.

Executive Members' Surgeries

- 15 Although these are not part of the Council meetings, Members note the success of the 'Surgeries' that certain Executive Members hold. These can provide a useful forum for very local or specific Ward matters, which are not really appropriate for discussion in full Council, to be taken up outside the Council meeting. It is the view of the Ad Hoc Scrutiny Panel that extending these 'surgeries' to all Executive Members could assist in the effective running of Council meetings.

Scrutiny Reports

- 16 Members are of the view that Scrutiny Reports should be discussed earlier in the order of business, given that Scrutiny is one of the major roles of the Council (as opposed to the Executive). The Ad Hoc Scrutiny Panel 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.

Policy Framework

- 17 Members were of the opinion that major Policy Framework plans should be debated in draft form earlier in the preparation process so that Members can have input before these are finalised. However, the Ad Hoc Panel acknowledges that any such consideration by Members would be best conducted through the Scrutiny process, as this has a clear Constitutional remit for policy development.

"Policy Conferences"

- 18 Members gave much consideration to the possibility of having a clearly defined opportunity for major debates on current issues. Issues that would be appropriate for discussion in 'Policy Conferences' might include:
- Council policies;
 - Other matters of significant importance, such as the recently published Index of Multiple Deprivation, for which there had been no opportunity for consideration by Members;
 - Recent and forthcoming legislation;

- 19 'Policy Conferences' might also be a forum for consideration of new ideas, suggestions and possible initiatives that the Council as a whole body might want to consider.
- 20 Members also 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 agree that the Policy Conference should be part of the official proceedings of the Council.
- 21 Members expressed the view that the determination of topics for a 'Policy Conference' would require careful consideration and planning, to ensure that the Mayor, Executive Members, Scrutiny and other Members would have the opportunity to set the agenda for discussion. Members were anxious to ensure that these are not simply an opportunity for an extended discussion on matters that are important to the Executive. Members 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.
- 22 The Ad Hoc Scrutiny Panel recommends that consideration be given to having a 'Policy Conference' on a quarterly basis; that these should have a fixed maximum period of 1 hour commencing at 6:30pm; and that they will be followed immediately by the main business of the Council.

Fixed business and alternating business

- 23 Clearly, the Council has certain items of 'fixed business' that would have to be considered at every meeting of the Council. Such business includes:
- 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)
- 24 Other business would need to be included in meetings as and when they arise. Such items include:
- Presentations (by other organisations such as the Fire Authority, the Director of Public Health, etc)
 - Awards (e.g. Citizen of the Year Award)

- 25 It would be possible, however, to have certain item on an alternating, or periodic basis, rather than on every Council agenda. Members identified such matters as:
- Mayor's question time
 - Executive Members' Reports
 - Scrutiny Reports
- 26 The Ad Hoc Scrutiny Panel is of the view that further consideration could be given by the Constitution Committee to these items of business being considered at alternate meetings, or perhaps 2 or 3 times a year.

Order of Business

- 27 It was agreed that there is 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.
- 28 Administratively, however, because items for Council are often received on the last day permissible to ensure that legal requirements are met, (i.e. that papers are sent out 5 clear working days before the meeting), such decisions would have to be made within an extremely tight timescale. Subject to the availability of the Chair, this might not prove to be practical.
- 29 In general terms, the Ad Hoc Panel recommends that the order of business should be:
- Apologies
 - Minutes of previous meetings
 - Declarations of Interest
 - Announcements and Communications
 - Presentation of Petitions
 - Public Questions
 - Mayor's Statement
 - Mayor and Executive Reports
 - Scrutiny Reports
 - Policy Framework Reports
 - Urgent items
 - Members' Questions
 - Motions
 - Business reports
 - Business from last Council.
 - Joint Arrangements/External Organisations
 - Any other business specified on the summons

but that, on occasion, the order of business might need to be changed to allow for earlier, later or extended discussion on certain matters.

Time Limits

30 At present, there are a number of time limits on different parts of Council business. These are written into the Constitution in order to assist the Chair in the smooth running of Council meetings. There is a fine balance in respect of ensuring the business-like running of the Council meetings, and ensuring that all Members have the opportunity to discuss and debate matters that are relevant to the Council.

31 The existing time limits are as follows:

Questions: Public and Members' questions are allowed 15 minutes each, or 30 minutes in total.

One minute is allowed in which to put the question: 3 minutes is allowed for the response.

Petitions: Presentation by lead petitioner maximum 2 minutes: Portfolio holder response and any debate maximum 5 minutes.

Mayor's Report: 10 minutes

Executive Reports: 30 minutes maximum.

Motions: No speech may exceed 5 minutes.

It is recommended that in future the time limits should be set as follows:

Questions: Public and Members' questions are allowed 15 minutes each maximum.

As at present, 1 minute to be allowed in which to put the question, 3 minutes to be allowed for the response.

Petitions: No change. Presentation by lead petitioner maximum 2 minutes: Portfolio holder response and any debate maximum 5 minutes.

Mayor's Statement: Normally 10 minutes, unless exceptional circumstances require longer

Mayor and Executive Reports: 20 minutes maximum for the Mayor's Report, plus a further 30 minutes maximum for the Executive Members' reports.

Motions: As at present, no speech may exceed 5 minutes.

Recommendations

32 The Ad Hoc Scrutiny Panel makes the following recommendations to the Constitution Committee for its consideration, and asks that the Constitution Committee take these into account when drafting its proposals to Council:

Council Cycle:

(1) That the 6 week cycle is retained

Council start time

(2) Council meetings should commence at 6:30 if there are presentations by outside bodies, presentation of awards, or where 'Policy Conferences' are scheduled to take place

Mayor's Report:

(3) The Mayor should be required to provide a written report to Council, but also have the opportunity to make a statement on urgent, important or recent matters.

(4) Consideration of the Mayor's written report and any statement made by the Mayor should normally be limited to 30 minutes in total.

Executive Reports:

(5) The present method of distributing Executive Reports in advance of Council meetings should be retained, and that in future, a written report of the Mayor should be included.

(6) That 20 minutes should be allocated for questions on, and consideration of, the Mayor's written report.

(7) The current 30 minute limit on debate of the Deputy Mayor's and Executive Members' reports should be enforced more rigorously.

(8) That following consideration of the Mayor's and Deputy Mayor's reports, all other Executive Members' reports should be considered, but on a rotational basis.

(9) Consideration should be given to limiting each Member to 2 minutes maximum, or introducing requirement that any points to be raised are submitted in writing to the Chair prior to the Council meeting.

(10) If the latter recommendation is accepted by the Constitution Committee, then the period of notice required would have to be given careful consideration.

Scrutiny Reports:

(11) Scrutiny reports should be brought up the order of business to allow for a fuller debate earlier in the meeting (see Order of Business below).

"Policy Conferences":

(12) Consideration should be given to having a 'Policy Conference' on a quarterly basis; that these should have a fixed maximum period of 1 hour, starting at 6:30pm on the night of the Council meeting; they should be part of the Council agenda; and that they be followed immediately by the main business of the Council.

(13) The determination of topics for 'Policy Conferences' should be jointly agreed by the Chair of the Council, in discussion with the Executive and Scrutiny Members, to ensure that the Mayor, Executive Members, Scrutiny and other Members have the opportunity to set the topic for discussion.

Fixed business and alternating business:

(14) Consideration should be given to Council considering certain items on an alternating, or periodic basis – perhaps 2 or 3 times a year - rather than on every Council agenda. Such items might be:

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

Order of Business:

(15) In future the order of business should normally be:

- Apologies
- Minutes of previous meetings
- Declarations of Interest
- Announcements and Communications
- Presentation of Petitions
- Public Questions
- Mayor's Statement
- Mayor and Executive Reports
- Scrutiny Reports
- Policy Framework Reports
- Urgent items
- Members' Questions
- Motions
- Business reports
- Business from last Council.
- Joint Arrangements/External Organisations
- Any other business specified on the summons

whilst recognising that, on occasion, the order of business might need to be changed to allow for earlier, later or extended discussion on certain matters.

Time Limits

(16) The Council's procedural rules should be amended to incorporate the following time limits:

Questions:

Public and Members' questions are allowed 15 minutes each maximum.

As at present, 1 minute to be allowed in which to put the question, 3 minutes to be allowed for the response.

Petitions:

No change. Presentation by lead petitioner maximum 2 minutes: Portfolio holder response and any debate maximum 5 minutes.

Mayor's Statement:

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Mayor and Executive Reports:

20 minutes maximum for the Mayor's Report, plus a further 30 minutes maximum for Deputy Mayor's and the Executive Members' reports.

Motions:

As at present, no speech may exceed 5 minutes.

Executive Members' Surgeries:

(17) Although these are not part of the Council meetings, the Ad Hoc Scrutiny Panel noted the success of the surgeries that certain Executive Members hold, and recommends that the Constitution Committee requests of the Deputy Mayor that these are extended to all Executive Members.

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5 March 2008

Background Papers

Middlesbrough Council, Ad Hoc Scrutiny Panel, Minutes 13 December 2007
Middlesbrough Council Constitution