

COUNCIL

16 January 2020

Report of the Head of Corporate Services

CHANGES TO CONSTITUTION

PURPOSE OF THE REPORT

This report recommends various recommendations to the Councils Constitution to deal with substitute arrangements, frequency of meetings and rules of procedure relating to the duration of meetings. The aim of the report is to reach a general consensus prior to formulating reports to bring effect to the changes.

RECOMMENDATION

That having regard to the recent consultation exercise and the views of the Leaders Advisory Group, changes are made in the Constitution to bring about:

- A maximum meeting duration of 3 hours to Council and its Committees. This would require a motion to continue at 2.5 hours and then for any outstanding business to conclude within a further 30 minute period. Any business not concluded would automatically stand adjourned until the next ordinary meeting of Council or relevant committee. The last item of business within the extension period will need to be concluded to avoid a suspension of business.
- A change in meeting frequency of Council meetings from 8 to 6 weeks
- A review of the Scheme of delegation from Council to Committees and officers ahead of the Annual Meeting in May to relieve Council of any unnecessary routine business, and to allow it to focus on high level matters.
- A revision in the substitute scheme for all relevant meetings to -
 - Require advance notification of any substitution by 12 Noon, 2 days prior to the meeting in question
 - Reduce the number of substitutions to 50% of the total number of seats allocated per Group

WARDS AFFECTED

Not applicable

STRATEGIC LINK

Not appropriate

1. BACKGROUND

- 1.1 This report brings together a recommended solution to a number of factors discussed by both the Leaders Advisory Group and an open questionnaire regarding the organisation and conduct of meetings. The particular themes are summarised below.
- 1.2 Substitute Provision

The Leaders Advisory Group discussed concerns that the current Scheme allows for a late substitution of members to a Committee – up to 4pm on the day of the meeting. This could present high risk to the Council, particularly on planning matters where preparation and understanding of important key concepts is essential for sound decision making. Late substitution on the Planning Committee could also exclude the substitute from attending site visits.

The substitute scheme also allows for each Group to nominate substitutes to mirror the number of ordinary members. This number is considered to be too high in terms of keeping members up to date. A reduced number would aid effective member development.

1.3 Timing of meetings

Council currently meets on an eight weekly cycle. The meeting in November took some four hours with unfinished business being adjourned to a future meeting. This is unsustainable in terms of effective decision making. A simple questionnaire was therefore designed for completion by Councillors and senior managers that regularly attend Council meetings. The result of the questionnaire is listed as a background paper and is available for Councillors on the Members Portal.

1.4 Time limit

The current Rules of Procedure provide for there to be a positive motion to continue beyond 2.5 hours. The Rule applies to Council, Committees and Sub-Committees. The questionnaire asked for views on how long beyond that period, a meeting should last.

1.5 Associated Matters

The questionnaire also asked participants for their views on the timing of meetings and any other initiatives worthy of exploration with the aim of enabling meetings to be more effective.

2. RECOMMENDATIONS

2.1 The main purpose of this report is to get a consensus on elements Council would be willing to support in terms of changes to the Constitution. Any decision by the Council would form part of a work plan to bring about changes to the Constitution for approval at the Annual Meeting in May 2020 and be the subject of further reports if changes to the Rules of Procedure are required.

2.2 In response to feedback from Members of the Leaders Advisory Group and by participants to the survey, the following recommendations are outlined for debate and can be amended by Council as it thinks appropriate.

2.3 Substitute Provisions

In acknowledging the potential risk to the Council in the late substitution of members to serve on a Committee, the following recommendations are made:

- A revision in the substitute scheme for all relevant meetings to -

- Require advance notification of any substitution by 12 Noon, 2 days prior to the meeting in question
- Reduce the number of substitutions to 50% of the total number of seats allocated per Group with a minimum of 1.

2.4 Frequency of Meetings

A 6 weekly cycle of meetings for Council is recommended. This is supported by the majority (76.5%) of respondents to the survey. In order to meet statutory obligations, it may be that a meeting of Council is required in August which has to date been an unofficial recess. Once a decision on the frequency of meetings is determined, a full calendar of meetings can be prepared for approval by the Annual Meeting. Committees would continue their 8 weekly cycle for Policy and 4 weekly for the Planning Committee.

The 6 weekly cycle for meetings of Council would effectively spread business throughout the year. The initiative would be supported by a review of business delegated by Council to ensure that meetings of Council focus on high level and strategic matters, in an environment where all Members feel that they have an opportunity to debate and influence matters within a reasonable time period.

2.5 Start time of meetings

Results of the questionnaire showed a marginal preference for a 6pm start, with other contributions pointing to 5pm or earlier start time for meetings. On balance the 6pm start time is considered to offer a more convenient solution to the current Councillor makeup. No change is therefore proposed.

2.6 Meeting duration

The questionnaire asked for comments on whether we should introduce a maximum period beyond the current 2.5 hours for business to conclude. 60% of respondents voted for a maximum period to be introduced with varying opinions on the extent of the maximum duration. Eight out of the 15 respondents chose a 3 hour maximum.

Currently the Constitution requires there to be a positive motion to continue beyond 2.5 hours with no maximum beyond that time.

Based on a reasonable time period, an amendment to the Rules of Procedure is proposed to limit the time period to a further half an hour, bringing the total duration of a meeting to 3 hours. If the motion to continue fails, all unfinished business would automatically adjourn.

If the motion to continue is passed by a simple majority, the meeting will continue for a further 30 minutes during which time, the Chairman will ensure that all reasonable business is concluded. The Chairman will also have discretion to further extend the duration of the meeting to ensure that the item of business on the table at the point of the time extension is dispensed with.

2.7 Other Considerations

Feedback from the questionnaire also raised a number of suggestions to help focus meetings of the Council within an acceptable timeframe.

The majority of comments related to matters already within the Constitution, for example time limiting contributions, powers of the Chairman to rule repetition out of order, asking questions of officers outside the meeting. No specific recommendations are made at this point.

3. RISK ASSESSMENT

3.1 Legal

The regulatory framework governing committee places is documented in the main body of the report, which represents minimal risk to the Council.

3.2 Financial

There are no financial risks arising from this report.

4. CONTACT INFORMATION

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5. BACKGROUND PAPERS

None