

Report of the City Solicitor

Report to General Purposes Committee

Date: 16th June 2015

Subject: Amendments to Council Procedure Rules

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

Group Leaders and Whips have discussed the scope for modernising the operation of Ordinary meetings of Council. This report contains proposals arising from those discussions in particular that;

- There be a new start time - 1pm rather than 1.30pm;
- Community Committee Report contributions be restricted and time limited;
- To remove the Backbench Community Concern Item from the Council proceedings, and in it's place;
 - introduce consideration of Health and Wellbeing Minutes for up to 20 minutes
 - introduce a new Devolved Matters Report item for up to 30 minutes
- That the deadline for amendments be altered to be 10am on the day before Council
- Consideration of White Paper motions be extended to 45 minutes with increased speaking time;

General Purposes Committee is asked to;

- Agree that the proposed amendments to Council Procedure Rules, set out in Appendix A, be adopted, on a trial basis, for the July and September Council meetings;
- Note the indicative timings for Council set out in Appendix B;
- Receive a further report in October on the outcome of the trial period.

1 Purpose of this report

- 1.1 This report proposes changes to the operation of Ordinary Council meetings, and that the changes be adopted for a trial period at the July and September meetings.

2 Main issues Full Council Procedures

- 2.1 Following cross party discussions a number of amendments to existing arrangements are proposed by way of this report. The amendments are contained in Appendix A and are summarised in the proposals set out below and in the outline timings for the Council meeting set out at Appendix B.

Start time for Ordinary Full Council Meetings

- 2.2 To accommodate the proposals set out below in respect of White Paper motions, there is a requirement to add further time into the Council meeting. On balance Leaders and Whips were supportive of an earlier start time for Council meetings of 1pm. This report sets out a trial amendment to Council Procedure Rule (CPR) 2.1 to this
- 2.3 Whips were of the view that, in circumstances where full Council are appointing Honorary Aldermen, that these meetings commence at 1pm and that the business of the Ordinary Meeting be adjusted by way of a Whips' agreement to facilitate, as far as is possible, a 7.30pm conclusion of the Ordinary Council business.

Backbench Community Concerns

- 2.4 For the past two Municipal Years a period of 6 ten minute blocks have been reserved in Council business to consider Backbench Community Concerns.
- 2.5 This defined area of business has proved useful in enabling backbench members a platform to introduce concerns into the Council meeting. However, given the enhanced remit for Community Committees to lead on local issues, there is now cross party support for the removal of this formal item of business from the full Council proceedings. These changes require the deletion of Council Procedure Rule 2.2 (j) and 12.2 along with other consequential amendments.

Devolution Matters/Health and Wellbeing Board Minutes

- 2.6 Groups Leaders are collectively supportive of introducing two new elements to Council business, both of which are enabled by the time freed up from the removal of Backbench Community Concerns.
- 2.7 The first relates to the introduction of a reporting process to Council on matters devolved to, or of significance in respect of the work/operation of the West Yorkshire Combined Authority. Given the significance of these matters to the City it is proposed that a regular report be tabled for consideration and debate at full council meetings. The proposals being that this report be considered after the Tea Break, be for a time limited period of 30 minutes and enables all groups the opportunity to contribute to the debate. The proposed amendments are by way the addition of a footnote at CPR 2.2 (g).

- 2.8 In addition Group Leaders are collectively supportive of a defined period of time (twenty minutes) under the minutes item for the consideration of the minutes of the Health and Wellbeing Board. These proposed amendments are set at CPR 3.3, and allow for any unused to be allocated for the consideration of Executive Board minutes.

Receipt of Community Committee Reports

- 2.9 Ordinary Council meetings now routinely receive reports from Community Committees. Group Whips have discussed the mechanism by which these reports are considered and a number of different views are held. Opposition Groups are generally supportive of Community Committees reporting to Council jointly by way of a single Annual Report upon which all Community Committee Chairs and the responsible Executive Member may speak. Alternately, should the current arrangements continue, the Conservative and Green Groups feel that the reports should be simply moved and commented upon by the Chair (without further debate), whereas the Liberal Democrat group would not be supportive of limiting speaking in this way.
- 2.10 In an attempt to reconcile these views, it is proposed that the receipt of reports from Community Committees be time limited, with each committee report being considered for up to ten minutes. The proposed amendments are contained in a footnote to CPR 2.2 (f) and to CPR14.1.

White Paper Motions

- 2.11 Members may recall that two years ago time limits were altered for the consideration of White Paper motions. This approach has secured debate of all such motions and routinely allows all groups an opportunity to contribute to this segment of the Council meeting. An unintended consequence has been that the reduced time allocated for speakers to comment, and for the mover of motions to sum up, has been felt to be too restrictive.
- 2.12 This report proposes two changes to the current time limits for White Papers. Firstly Group Leaders are supportive of extending the period of time for debating White Paper Motions from 30 minutes to 45 minutes. Amendments to (newly numbered) CPR 3.4 reflect this proposal.
- 2.13 Secondly in acknowledgment of comments received from Members concerning the too limited speaking times for Members contributing to debates and summing up, Group Leaders propose that the speaking time for those moving a White Paper motion be increased to 5 minutes and that all other contributions be increased to 4 minutes. These proposed amendments are set out in amendments set out in CPR 14.1.
- 2.14 Leader of the Green Group has commented that the speaking times on White Papers should not be altered from the current arrangements and that, in his group's view, the number of White Paper Motions should be increased by one to four.

Other Speaking Rights and Amendments

Speaking rights

- 2.15 However it is proposed that the existing restrictions on Seconders from the same group be removed, thereby allowing those Members to be permitted to speak, in the case of White Paper motions, for up to four minutes, and for all other business up to 3 minutes. These proposed amendments are set out in amendments set out in CPR 14.1.
- 2.16 Other than the proposals around the receipt of Community Committee reports, there are no other proposals to change the speaking times for other items of business (the mover of a motion or amendment having four minutes, and Members otherwise contributing or summing up having three minutes each).

Deadline for the Submission of Amendments

- 2.17 Members will recall that Whips agreed that an earlier submission deadline for White Paper amendments be trialled at the April Council meeting, the revised deadline being 10am on the day prior to Council rather than 24 hours in advance of the council meeting. This trial worked well and enabled Group Whips sight of amendments a number of hours in advance of the pre Council whips meeting.
- 2.18 Amendments to (newly numbered) CPR 13.1 a) are proposed to regularise the earlier submission deadline detailed above.

3 Corporate Considerations

3.1 Consultation and Engagement

- 3.1.1 Consultation and engagement has taken place with the Leader of Council and each Opposition Group Leader. All Group Leaders are in favour of the proposals amendments being trialled in advance of formal approval any changes at Full Council.

3.2 Equality and Diversity / Cohesion and Integration

- 3.2.1 There are no implications for this report.

3.3 Council policies and Best Council Plan

- 3.3.1 All amendments are in line with the Council's Code of Corporate Governance, particularly with regard to the principles of focussing on the Council's purpose and community needs; having clear responsibilities and arrangements for accountability; and taking informed and transparent decisions which are subject to effective scrutiny and risk management.
- 3.3.2 The introduction of items around Health and Wellbeing Board and devolution enable full Council to deliberate these aspects of the City's wider priorities.

3.4 Resources and value for money

- 3.4.1 There is no resource or value for money issues arising from this report.

3.5 Legal Implications, Access to Information and Call In

3.5.1 The amendments proposed are in line with legislation.

3.6 Risk Management

3.6.1 There are no implications for risk management arising from this report this report.

4 Conclusions

4.1 A number of amendments are necessary to ensure that the Council's constitution is up to date and fit for purpose.

5 Recommendations

5.1 General Purposes Committee is asked to;

- Agree that the proposed amendments to Council Procedure Rules, set out in Appendix A, be adopted, on a trial basis, for the July and September Council meetings;
- Note the indicative timings for Council set out in Appendix B;
- Receive a further report in October on the outcome of the trial period.

6 Background documents¹

6.1 None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.