

	<b>Council</b> <b>17 April 2019</b>	<b>Agenda Item No.</b> <h1 style="text-align: center;">12</h1>
<b>Title</b>	Revisions to Council Procedure Rules	
<b>For further information about this report please contact</b>	Graham Leach Democratic Services Manager & Deputy Monitoring Officer 01926 456114 <a href="mailto:graham.leach@warwickdc.gov.uk">graham.leach@warwickdc.gov.uk</a>	
<b>Wards of the District directly affected</b>	None	
<b>Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?</b>	No	
<b>Date and meeting when issue was last considered and relevant minute number</b>		
<b>Background Papers</b>		

<b>Contrary to the policy framework:</b>	No
<b>Contrary to the budgetary framework:</b>	No
<b>Key Decision?</b>	No
<b>Included within the Forward Plan? (If yes include reference number)</b>	No
<b>Equality Impact Assessment Undertaken</b>	No

<b>Officer/Councillor Approval</b>		
<b>Officer Approval</b>	<b>Date</b>	<b>Name</b>
Chief Executive/Deputy Chief Executive	4/4/2019	Andrew Jones
Head of Service		
CMT		
Section 151 Officer	4/4/2019	Mike Snow
Monitoring Officer	4/4/2019	Andrew Jones
Finance	4/4/2019	Andrew Rollins
Portfolio Holder(s)	29/3/2019	Andrew Mobbs
<b>Consultation &amp; Community Engagement</b>		
The Chairman of the Council and Councillors Boad, Heath, Mobbs and Naimo as Group Leaders.		
<b>Final Decision?</b>	Yes	
<b>Suggested next steps (if not final decision please set out below)</b>		

## 1. **Summary**

- 1.1 The report brings forward minor amendments to Council Procedure Rules in respect of Public Speaking at Council and consideration of Executive minutes at Council.

## 2. **Recommendation**

- 2.1 That from the new municipal year in May 2019, only the Executive Part 1 items (those which require a decision of Council) are reported to Council and not the Executive Part 2 items where a decision has already been taken by the Executive.
- 2.2 That Council approves the amendments to the Constitution as set out at Appendix 1 to the report and any consequential amendments elsewhere in the Constitution as a result of these.

## 3. **Reasons for the Recommendation**

- 3.1 At present Council receives the full minutes from each Executive meeting. Provision is only made within the Constitution for the Council to debate those items recommended to Council for it to determine i.e. Part 1 items. The Part 2 items are Executive functions which, under the Local Government Act 2000 are matters that the Executive has to determine and Council cannot amend.
- 3.2 The Chairman and Group Leaders have considered this and noted that this can cause a lack of clarity for the public attending meetings, as they may reasonably expect, if an item is included on the agenda that Council will be taking a decision on it.
- 3.3 The removal of the Part 2 items from the agenda would also enable Councillors to focus on the important matters being considered by Council and would also reduce the amount of paper used in printing agendas.
- 3.4 This would not impact on the call in procedure, of Executive decisions, because in the instance on being called in the matter would come to Council via either a report from the Monitoring Officer or the Overview & Scrutiny Committee for Council to consider.
- 3.5 All Councillors would continue to receive a full set of Executive minutes as part of the Executive agenda, and as at present, would be able to ask questions about Executive decisions through scrutiny work or at Council as part of Questions to the Leader and/or their Portfolio Holders.
- 3.6 Council will be aware that at its meeting on 20 February they were addressed by a member of the public regarding an Executive decision that had already been taken and acted upon. While this would be resolved by the change outlined above this also highlighted the current Council procedure rule for speaking at Council that reads:

“You will be permitted to speak in relation to any of the following items included on the agenda: notice of motion, report or minutes of another committee. Any request to speak on other items will be a matter of discretion for the Chairman.

(The rights for a member of the public to address Council on a Petition are set out in the Council’s Petition Scheme.)”

- 3.7 At the request of the Chairman and Group Leaders this arrangement was considered by the Democratic Services Manager & Deputy Monitoring Officer because (a) it did not permit anyone to address the Council on the Executive recommendations to Council or the Executive decisions already taken because the Executive is not a Committee of Council, and (b) it did not permit the public to speak on reports brought to Council by either a Councillor or Officer.
- 3.8 The revised wording, outlined at Appendix 1, has been drafted to resolve these concerns and because the Minutes brought to Council from either the Executive or a Committee are, within the Constitution, recognised as reports.
- 3.9 As part of the above revisions the Democratic Services Manager & Deputy Monitoring Officer noted there was duplication in the running order of Notices of Motion and therefore it was proposed that these should be combined.

**4. Policy Framework**

**4.1 Fit for the Future (FFF)**

The Council’s FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit. To that end amongst other things the FFF Strategy contains several Key projects

The FFF Strategy has 3 strands – People, Services and Money and each has an external and internal element to it. The table below illustrates the impact of this proposal if any in relation to the Council’s FFF Strategy.

<b>FFF Strands</b>		
<b>People</b>	<b>Services</b>	<b>Money</b>
<b>External</b>		
<b>Health, Homes, Communities</b>	<b>Green, Clean, Safe</b>	<b>Infrastructure, Enterprise, Employment</b>
<u>Intended outcomes:</u> Improved health for all Housing needs for all met Impressive cultural and sports activities Cohesive and active communities	<u>Intended outcomes:</u> Area has well looked after public spaces All communities have access to decent open space Improved air quality Low levels of crime and ASB	<u>Intended outcomes:</u> Dynamic and diverse local economy Vibrant town centres Improved performance/ productivity of local economy Increased employment and income levels
<b>Impacts of Proposal</b>		
The report provides clarity for the public on their participation at Council meetings ensuring they have a write to address Council on matters before,	The report will reduce the paper consumption of the Council .	Nil.

rather than after, a decision is taken.		
<b>Internal</b>		
<b>Effective Staff</b>	<b>Maintain or Improve Services</b>	<b>Firm Financial Footing over the Longer Term</b>
<u>Intended outcomes:</u> All staff are properly trained All staff have the appropriate tools All staff are engaged, empowered and supported The right people are in the right job with the right skills and right behaviours	<u>Intended outcomes:</u> Focusing on our customers' needs Continuously improve our processes Increase the digital provision of services	<u>Intended outcomes:</u> Better return/use of our assets Full Cost accounting Continued cost management Maximise income earning opportunities Seek best value for money
<b>Impacts of Proposal</b>		
<i>Nil.</i>	<i>Nil</i>	<i>Nil</i>

4.2 **Supporting Strategies** - Each strand of the FFF Strategy has several supporting strategies however this report does not directly impact on these.

4.3 **Changes to Existing Policies** – The report brings forward amendments to the Council Procedure Rules which form part of the Constitution of the Council.

## 5. **Budgetary Framework**

5.1 If approved there will be a small saving within the budget for printing of agendas, however this will be included as part of the wider savings previously agreed by Executive that from the new Council there will be a move to use of electronic rather than printed agendas.

## 6. **Risks**

6.1 There are no significant risks associated with this report.

## 7. **Alternative Option(s) considered**

7.1 No alternative options have been considered as the proposals are minor amendments to the Constitution.

## Council Procedure Rules

Additions in *italics* and deletions ~~struck through~~

### 4. Order of Business

- (1) The order of business at every meeting of the Council other than the annual meeting will be:
- (a) To choose a person to preside if the Chairman and Vice-Chairman are absent
  - (b) To deal with any business required by statute to be done before any other business
  - (c) Apologies for absence
  - (d) declarations of interest
  - (e) To approve as a correct record and sign the minutes of the last meeting of the Council
  - (f) To deal with any business expressly required by statute to be done
  - (g) To receive such communications as the Chairman or the Chief Executive may wish to present to the Council
  - (h) Chairman's announcements
  - (i) Public Interest Debate – this will be added to the agenda if needed
  - (j) Petitions
  - (k) Notices of Motion (To consider items, notice of which have been given under Procedure Rule 6 in the order in which notice has been received)
  - ~~(l) Public submissions~~
  - ~~(l m) Leader's and Portfolio Holders' Statements~~
  - ~~(m n) Questions to Portfolio Holders & the Leader of the Council~~
  - ~~(n o) To dispose of business, if any, remaining from the last meeting~~
  - ~~(o p) To receive and consider the minutes reports of the Executive and/or any Committees that contain recommendations for Council to consider from committees~~
  - ~~(q) To consider items, notice of which have been given under Procedure Rule 6 in the order in which notice has been received~~
  - ~~(p r) Other business, if any, specified in the summons~~
  - ~~(q s) To authorise the sealing of documents so far as the Council's authority is required.~~

### 34. Public Speaking

#### (a) Council

~~You will be permitted to speak in relation to any of the following items included on the agenda: notice of motion, report or minutes of another committee. Any request to speak on other items will be a matter of discretion for the Chairman.~~

~~(The rights for a member of the public to address Council on a Petition are set out in the Council's Petition Scheme.)~~

*The public be permitted to speak in relation to the following items included on the agenda: notice of motion, Petitions (as defined by the Council's Petition Scheme) and any reports that requires a decision by*

*Council at that meeting. Any request to speak on other items will be a matter of discretion for the Chairman.*