

MUNICIPAL YEAR 2014/2015 REPORT NO. 78

MEETING TITLE AND DATE:

Members & Democratic
Services Group – 16
September 2014
Council – 8 October 2014

REPORT OF:

Director of Finance
Resources & Customer
Services
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Agenda – Part: 1	Item: 12
Subject: Amendment to Council Procedure Rules – Councillor Questions	
Wards: All	
Cabinet & Other Members consulted: n/a	

1. EXECUTIVE SUMMARY

- 1.1 At the last Council meeting (16 July 14) a request was made for consideration to be given to the inclusion of Associate Cabinet Members (ACMs) under the procedure for Council Questions.
- 1.2 In accordance with the established process for considering changes to constitutional procedures, the suggestion was referred on to the Members & Democratic Services Group (MDSG) for detailed consideration. Having considered the matter, MDSG supported the proposal and have therefore recommended a change in procedure to Council.

2. RECOMMENDATIONS

Council is asked to approve (as recommended by MDSG) the following amendments to the Section 9 (Council Questions) within the Council Procedure Rules::

- 2.1 Extending the list of members that Council Question can be addressed as follows, to include Associate Cabinet Members:

“Any Councillor may ask a Cabinet Member, **Associate Cabinet Member**, Overview & Scrutiny/Scrutiny Workstream Chair or Statutory Committee Chair a question at a Council meeting.”

- 2.2 Amending the list of outside bodies on which questions could be addressed to members serving on them, as follows:

~~Association of London Government~~ **London Councils**
~~Enfield Strategic Partnership Board~~

3. BACKGROUND

3.1 The current procedure for dealing with Councillor Questions is set out in section 9 of Chapter 4.1 (Council Procedure Rules) within Part 4 of the Council's Constitution. The procedure states that:

(a) Any Councillor may ask a Cabinet member, Overview & Scrutiny Committee/Scrutiny workstream Chair or Statutory Committee Chair a question at a Council meeting. In addition questions are permitted to any Members serving on the following outside bodies:

- Association of London Government
- Lee Valley Regional Park Authority
- Local Government Association – General Assembly
- North London Waste Authority
- London Fire & Emergency Planning Authority
- Enfield Strategic Partnership Board

(b) Questions have to be submitted in writing 15 calendar days prior to the relevant Council meeting, specifying who has asked the question and which member it is addressed to. Currently the procedure rules provide for 30 minutes to run through the written responses on these questions and any follow up supplementary. This time can be extended, subject to the proposed extension being formally moved, seconded and agreed and an additional 15 minutes is allowed for any questions submitted to members serving on the above list of outside bodies.

3.2 As part of a supplementary question addressed to the Leader of the Council by the Leader of the Opposition at Council on 16 July 2014 a request was made for consideration to be given to extending the list of members to whom Council questions can be addressed to include the newly created ACM posts.

3.3 The Leader, in responding to the question, advised that he could see the justification in the suggestion and advised that it would be referred to the MDSG for consideration.

3.4 The proposal was referred to MDSG on 16 September 14 and in considering the proposal members noted:

3.4.1 The creation of three new ACM positions was approved at the Annual Council meeting (11 June 2014). The posts have been created as non-executive positions. Whilst accountable to Cabinet and invited to attend both Cabinet and Strategic Partnership meetings the post holders do not have voting rights and are not formal members of either body. The posts do, however, attract a Special Responsibility Allowance and have a

distinct role in providing a spatial focus and championing and facilitating engagement activity across each of their local areas.

3.4.2 The basis of the suggestion that members also have the right to submit Council Questions to the ACMs, was as follows:

- the cross cutting nature and distinct role identified for the posts in terms of championing and facilitating activity in their local areas; and
- the close working relationship with Cabinet, Cabinet Members and local ward councillors;
- that questions can be asked of members in other posts that attract an SRA;

3.4.3 Cabinet (12 August 2014) received a report providing further details on the role of the ACMs and their lines of accountability. This included reference to the suggestion that members be given the right to submit Council Questions to individual ACMs, which was supported and endorsed.

3.5 Having taken account of the issues highlighted in 3.4 above, MDSG were minded to support the proposal to include the ACMs within the list of members that Council Question can be addressed to and as a result recommended the following amendment to Council Procedure Rule 9.2 (a):

“Any Councillor may ask a Cabinet Member, **Associate Cabinet Member**, Overview & Scrutiny/Scrutiny Workstream Chair or Statutory Committee Chair a question at a Council meeting.”

3.6 In considering the procedure relating to Council Questions, MDSG also:

3.6.1 felt it would be useful to undertake a more general review of the format and arrangements for question time within the context of the general structure of Council meetings. They have requested a report back on this review at a future meeting, in order to allow further consideration of any changes before any final recommendations are identified for Council.

3.6.2 identified amendments needing to be made to the list of outside bodies on which questions can be addressed to members serving on them. As a result, Council is also being asked to consider the following changes:

- ~~Association of London Government~~ **London Councils**
- Lee Valley Regional Park Authority
- Local Government Association – General Assembly

- North London Waste Authority
- London Fire & Emergency Planning Authority
- Enfield Strategic Partnership Board

4. ALTERNATIVE OPTIONS CONSIDERED

No other options have been considered. The recommended amendments to the Procedure for dealing with Council Questions were identified for consideration at the previous Council meeting and have been subject to cross party review by the Members & Democratic Services Group.

5. REASONS FOR RECOMMENDATIONS

To update the procedure rules relating to Council Questions and allow for the inclusion of the newly created Associate Cabinet Member posts within the procedure on the basis of their distinct role.

6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS

6.1 Financial Implications

None – the changes required to the Constitution will be met from within existing resources.

6.2 Legal Implications

The recommendations within the report have been designed to reflect the introduction of the newly created ACM posts as part of the changes to the Council's political management arrangements agreed by Council in June 2014. As the proposed changes will involve an amendment to the Council Procedure Rules within the Constitution they require formal approval by Council.

7. KEY RISKS

The extension of Council Questions to include ACMs has been designed to reflect their distinct role in terms of championing and facilitating activity in their local areas and ensure the necessary level of accountability in terms of their close working relationship with Cabinet, Cabinet Members and local ward councillors.

8. IMPACT ON COUNCIL PRIORITIES

Fairness for All & Strong Communities

The proposed change has been designed to ensure that transparency and openness in relation to the Council's decision making arrangements is maintained.

9. EQUALITIES IMPACT IMPLICATIONS

It has not been necessary to carry out an Equalities Impact Assessment in relation to this proposal.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

The proposed change has been designed to assist the Council in managing its business in as efficient and effective a way as possible.

11. PUBLIC HEALTH IMPLICATIONS

There are no specific public health implications arising from the proposals within this report.

Background Papers

None