

Committee **Standards Committee 25 June 2019**

Title: **Proposed amendments to Council and Committee Standing Orders**

Lead Officer: Ayshe Simsek Acting Democratic Services and Scrutiny Manager

1. Describe the issue under consideration

1.1 The Council Constitution governs the organisation of Council decision making. It is kept under review and when necessary, amendments are proposed to Standards Committee for consideration and recommendation on to Full Council, in accordance with Article 14.03 (Changes to the Constitution).

1.2 This report seeks Members initial views on the areas of the Council and Committee standing orders, including Full Council protocol, that require review.

2. Cabinet Member Introduction

Not applicable

3. Recommendations

3.1. To provide comments on the full Council protocol and Council standing orders, and Committee Standing orders and agree release for consultation by political groups.

3.2 To consider a report back on the final changes in October.

4. Reasons for decision

4.1 To ensure that Council and Committee Standing orders meet democratic principles, are understood by local residents wishing to make representations at meetings and allow Council and Committee Chairs to run a fair and efficient meeting.

5. Alternative options considered

Not applicable

6. Background information

The previous administration considered a review of standing orders but did not pursue this further as it was felt most appropriate to be taken forward by the incoming administration.

The current versions of the Council and Committee standing orders are attached, along with the full Council protocol for initial comments.

The report was considered by the Committee in April 2019 and in light of the changes to the membership, the proposals are put forward for any further remaining comments/ consideration before wider distribution to councillors and consideration at the Full Council meeting in November.

7. Contribution to strategic outcomes

7.1 The Council's Constitution supports the governance of the Council and its Decision making thereby assisting the Council to meet its strategic outcomes.

8. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

8.1 Finance and Procurement

8.2 No financial implications arise from this report.

8.3 Legal

8.4 This is a noting report and further legal considerations will be outlined in the report to Committee in October when the final changes are put forward.

8.5 Equality

8.6 There are no equality matters in this report

9. Use of Appendices

Some initial proposed changes to Council Standing Orders – appendix 1

Council Procedure rules Appendix 2

Full Council Protocol Appendix 3

Committee Standing Orders Appendix 4

10. Local Government (Access to Information) Act 1985

10.1 The Council Constitution which can be found at;

<http://www.haringey.gov.uk/local-democracy/about-Council/Council-constitution>

Appendix 1 –Initial proposed changes to the Council standing orders and Committee Standing Orders

Current Council Standing Order	Reasons for Change	Proposed Change
<p>Section 1.1 – Annual meeting of the Council xiv- Receive a programme of ordinary meetings of the Council for the year</p>	<p>This is proposed for amendment as in practice this report needs to be considered before the Annual meeting in March to enable report planning and organisation of committee meetings. The calendar of meetings is usually considered at the AGM meeting following an election.</p>	<p>Receive a programme of ordinary meetings of the Council for the year, in an election year.</p>
<p>3.1 Ordinary meetings of the Council will take place in accordance with the calendar of meetings. Ordinary meetings will:</p> <p>(i) Elect a person to preside if the Mayor is not present</p> <p>(ii) Receive apologies for absence</p> <p>(iii) Deal with any business required by statute to be considered before any other business</p> <p>(iiii) Receive any</p>	<p>To swap around iii and iiiii to allow declaration of interests to be considered before any business</p>	<p>3.1 Ordinary meetings of the Council will take place in accordance with the calendar of meetings. Ordinary meetings will:</p> <p>(i) Elect a person to preside if the Mayor is not present</p> <p>(ii) Receive apologies for absence</p> <p>(iii) Receive any declarations of interest from members;</p> <p>(iiii) Deal with any business</p>

<p>declarations of interest from members;</p> <p>v]Approve the minutes of the previous meeting and any outstanding from previous meetings;</p>		<p>required by statute to be considered before any other business</p> <p>v]Approve the minutes of the previous meeting and any outstanding from previous meetings;</p>
<p>(iii) Hold a Haringey Debate, on the agreed theme for that meeting. The form of the debate may include holding the debate as an Open Session under paragraph 30. Arrangements for how the debate will function are outlined in the full Council Protocol;</p>		
<p>4.1 Calling extraordinary meetings</p> <p>Questions</p> <p>Questions shall not be permitted at extraordinary meetings and Rule 10 shall not apply.</p>	<p>Amendment of the latter part of the sentence to allow questions to be asked on Council reports at Extraordinary meetings. This is to allow members to seek any information needed to make an informed decision. This is particularly important for any reports that may need to be considered relating to the budget and policy framework documents at an extraordinary meeting</p>	<p>Questions on Notice shall not be permitted at extraordinary meetings and rules 10.2 to 10.7 shall not apply.</p> <p>[This will mean that section 10.1 permitting questions on reports at extraordinary meetings shall be applicable]</p>
<p>b)There will be 8 questions from Councillors which will receive direct oral answers. Questions on notice for oral answer will be set out on the Summons to the Council meeting.</p>	<p>Some added clarification to show the current practice of 6 oral questions</p>	<p>There will be up to 8 questions from Councillors which will receive direct oral answers. Questions on notice for oral answer will be set out on the Summons to the Council meeting.</p>

<p>C)All questions and answers must be made as questions/answers and must not be a speech or statement.</p>	<p>To support the public's understanding of the response being provided to questions set out on the Council agenda and ensuring that supplementary questions relate to the original question/ reply.</p>	<p>C)All questions and answers must be made as questions/answers, <i>addressing the subject matter</i> and must not be a speech or statement</p>
<p>11. DEPUTATIONS</p> <p>11.1 A deputation may only be received by the Council if a requisition signed by not less than ten residents of the Borough, stating the object of the deputation, is received by the Democratic Services Manager not later than 10am to leave five clear days prior to the Council meeting.</p>	<p>To allow deputations to come forward following consideration of published agenda items and increase resident participation in meetings, it is proposed to amend the number of clear days from 5 to 3 days allowed to submit a deputation. [Other local authority rules looked at were Camden – 3 working days, Waltham Forest 1 working day, Islington 2 working days and Hackney 5 clear working days</p>	<p>11.1 A deputation may only be received by the Council if a requisition signed by not less than ten residents of the Borough, stating the object of the deputation, is received by the Democratic Services Manager not later than 10am to leave five three clear days prior to the Council meeting.</p>
<p>11.9 The Deputation Spokesperson will be given five minutes to introduce the Deputation, following which they may answer any questions from Members. The Mayor will allocate a maximum amount of time for each deputation, and will have regard to other items of business on the Council agenda when doing so.</p>	<p>Proposed change is to ensure the spokesperson adheres to the matters submitted in the deputation request to the Council and committee</p>	<p>The Deputation Spokesperson will be given five minutes to introduce the Deputation, referring to the matters in their deputation requisition Following which they may answer any questions from Members. The Mayor will allocate a maximum amount of time for each deputation, and will have regard to other items of business on the Council agenda when doing so.</p>
		<p>The relevant Cabinet</p>

<p>11.10 The relevant Cabinet member shall be given the opportunity to respond to Council on the issues raised, and advise Council what actions will be taken as a result of the deputation. Should no response be given at the meeting to which the deputation is put, the Cabinet Member should provide a response at the next ordinary meeting of Council.</p>	<p>Adding that a written response be provided where a response is not provided at the meeting.</p>	<p>Member shall be given the opportunity to respond to Council on the issues raised, and advise Council what actions will be taken as a result of the deputation. Should no response be given at the meeting to which the deputation is put, the Cabinet Member should provide a response at the next ordinary meeting of Council together with a written response provided to the deputation spokesperson.</p>
<p>19.2 Where the Cabinet or a Committee is making a recommendation to full Council requiring a decision or resolution of the Council a report shall be submitted on the matter. Where the Cabinet or a Committee consider that any matter coming before them merits being drawn to the notice of the full Council, then a report shall be submitted to the next practicable meeting of the Council.</p>	<p>An additional paragraph is required to clarify the process around amendments to recommendations of Council reports and the process to be followed at the meeting.</p>	<p>As set out in paragraph 15.8b</p> <p>Proposed amendments to recommendations to Council reports must be received in writing by the Democratic Services and Scrutiny Manager , proposed and seconded by two members and received no later than 10:00am on the day of the meeting.</p> <p>The Democratic Services Manager will ensure that Group Leaders are notified by telephone or email of any amendments received as soon as possible prior to the commencement of the Council meeting and in any event before 2.00pm on the day of the meeting with comments from officers if required.</p> <p>a)A proposed amendment to a recommendation must be relevant to the recommendation.</p> <p>b)Amendments to</p>

		<p>recommendations will be moved after the substantive item has been introduced by the relevant member.</p> <p>c)If the amendment is agreed, it will take the place of the recommendation and will then be put to the meeting. If the amendment is not agreed by Council, the original recommendation will then be put to Council.</p>
<p>Committee standing order 29.1 Notice of questions must be given in writing to the Democratic Services Manager by 10 a.m. on such day as shall leave five clear days before the meeting (e.g. Friday for a meeting on the Monday 10 days later). The notice must give the name and address of the sender. Should a question be rejected, the questioner will receive a written response advising of this, including the reasons for the rejection</p>	<p>Change from five to three days to be consistent with the change to the committee deputation rule. There is no change to the Full Council rule on this.</p>	<p>Notice of questions must be given in writing to the Democratic Services Manager by 10 a.m. on such day as shall leave five three clear days before the meeting (e.g. Friday for a meeting on the Monday 10 days later). The notice must give the name and address of the sender. Should a question be rejected, the questioner will receive a written response advising of this, including the reasons for the rejection</p>
<p>30.1 A deputation may only be received by a Committee or its sub bodies if a requisition signed by not less than ten residents of</p>	<p>Change from five to three days to be consistent with the change to the Council deputation rule</p>	<p>30.1 A deputation may only be received by a Committee or its sub bodies if a requisition signed by not less than ten residents of</p>

<p>the Borough, stating the object of the deputation, is received by the Democratic Services Manager not later than 10am to leave five clear days prior to the Committee meeting.</p>		<p>the Borough, stating the object of the deputation, is received by the Democratic Services Manager not later than 10am to leave five three clear days prior to the Committee meeting.</p>
<p>The deputation spokesperson will be given three minutes to introduce the deputation, following which they may answer any questions from members. The Chair will allocate a maximum amount of time for each deputation, and will have regard to other items of business on the agenda when doing so.</p>	<p>Proposed change is to ensure the spokesperson adheres to the matters submitted in the deputation request to the Council and committee out above</p>	<p>The Deputation Spokesperson will be given five minutes to introduce the Deputation, referring to the matters in their deputation requisition Following which they may answer any questions from Members. The Mayor will allocate a maximum amount of time for each deputation, and will have regard to other items of business on the Council agenda when doing so.</p>
<p>Adding a new paragraph to the deputation section 30.7</p>	<p>In the committee standing orders there is not an understanding provided of the outcome of a deputation when these are considered at committee meetings where the Cabinet Member is not present. We have had issues with scrutiny panel meetings where it is not appropriate for officers to respond and the appropriate Cabinet member is also not present at the meeting.</p>	<p>The Committee Chair will provide a response in writing to the deputation spokesperson, outlining the actions that will be taken as a result of the deputation.</p>