

**Committee**                      **Standards Committee 14 October 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 recommend the attached changes, set out appendix 2, to the Council Standing orders and Committee Standing Orders set out at appendix 3 for approval at the Full Council meeting in November.
- 3.2 To refer changes to the Full Council Protocol and other suggested changes to Council standing orders to the Leaders of the Political Groups as set out in Council procedure rule for implementation in May 2020.

**4. Reasons for decision**

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**

To not agree the changes to the Council and Committee Standing Orders and defer consideration.

**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 proposed changes set out at appendix 1 of this report were considered by the Committee in April and June 2019 .In September the proposals were put forward to all councillors for further comments. The following comments were put forward to the June meeting:

- Reducing the time allocated to the Mayors communications by noting the Mayors communication
- Allowing PowerPoint and visual media to accompany presentations/ deputations
- Removing the Haringey debate completely
- Allowing two consecutive supplementary questions from the political parties to the oral questions
- Adding a new section on the Leader's questions
- Increasing public participation with public questions
- Changing the start time of Full Council to 7pm with a 9.30 finish
- Receiving amendments to motions and reports sooner in advance . i.e. Friday 10am instead of Monday 10am
- Where a report is promised, this comes back as a report to the full Council as it might be relevant to all councillors.
- Including a standing item instead of a debate which allows participation from external experts/ partners/ community representatives.

The below comments were put forward in the consultation:

- To keeping the 7.30pm start time of full Council
- Removing the debate
- Having less rigid standing orders and allowing more public questions and further follow up questions on council questions.
- Keeping an agenda item which allows external speakers and community groups

It is proposed to put forward changes to the council and committee standing orders discussed at the April and June meetings to full Council in November, following no comments on these changes being received. The changes are set out in appendix 2 and appendix 3.

Given there was little comment about the full Council meeting protocol, as a way forward, it is proposed that there is discussion taken forward with both political party chief whips on the debate item at meetings. The following options could be considered:

- Removing the Haringey Debate
- Keeping the debate item and reducing the time allocated to 45 minutes in total.
- The Mayor and Leader's of both political groups choosing and advertising a proposed debate item to community groups/ organisations in the borough and

inviting representations to the meetings on the chosen item. The groups would attend the meeting and put forward a 10 minute presentation, there then follows a debate for 30 minutes, which can include questions to the presenters and closing statement by the proposer of the debate [ Political group] and response on the actions that can be taken forward by the cabinet member. There would still be three ordinary meetings , with a Labour and Liberal Democrat chosen debate and a final joint party or Mayoral led item.

These proposals alongside the comments made at the meetings can then be passed to the Leader's of both political groups in accordance with the council constitution which advises that ***There is a Protocol outside this Constitution setting out how full Council meetings are to operate. This Protocol can be amended by the written agreement of the Leaders of the Political Groups on the Council.***

## **7. Contribution to strategic outcomes**

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 The proposed changes to the Council and Committee standing orders were taken forward with Legal service's assistance.

### **8.5 Equality**

8.6 There are no equality matters in this report

## **9. Use of Appendices**

Summary of proposed changes to Council Standing Orders – Appendix 1

Council Procedure rules - Appendix 2 in track changes

Committee Standing Orders Appendix 3 - track changes

Full Council Protocol - 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  |
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| <p>Section 1.1 – Annual meeting of the Council xiv-<br/>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 declarations of interest from members;</p> <p>v]Approve the minutes of the previous meeting and any outstanding from previous meetings;</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 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> |

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| <p><b>4.1 Calling extraordinary meetings</b></p> <p><b>Questions</b></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 <b>up to 8</b> 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><b>11. DEPUTATIONS</b></p> <p>11.1<br/>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.<br/>[ Other local authority rules looked at were Camden – 3 working days, Waltham Forest 1 working day, Islington 2 working days and Hackney 5 clear</p> | <p>11.1<br/>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 <del>five</del> <b>three</b> clear days prior to the Council meeting.</p> |

|  | working days   |   |
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| <p>11.9</p> <p>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 adhears 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, <b>referring to the matters in their deputation requisition</b> 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>11.10</p> <p>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>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 <b>together with a written response provided to the deputation spokesperson.</b></p> |
| <p>19.2</p> <p>Where the Cabinet or a Committee is making a recommendation to full Council requiring a decision or resolution of</p>   | <p>An additional paragraph is required to clarify the process around amendments to recommendations of Council reports and the</p>            | <p>As set out in paragraph 15.8b</p> <p>Proposed amendments to recommendations to Council reports</p>   |

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| <p>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>process to be followed at the meeting.</p> | <p>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 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> |
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| <p>Committee standing order 29.1<br/>Notice of questions must</p>   | <p>Change from five to three</p>              | <p>Notice of questions must be given in writing to the</p>  |



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| <p>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>days to be consistent with the change to the committee deputation rule. There is no change to the Full Council rule on this as the timescale for public questions is the same as for Councillors.</p> | <p>Democratic Services Manager by 10 a.m. on such day as shall leave <b>five three</b> 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</p> <p>A deputation may only be received by a Committee or its sub bodies 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 Committee meeting.</p>   | <p>Change from five to three days to be consistent with the change to the Council deputation rule</p>  | <p>30.1</p> <p>A deputation may only be received by a Committee or its sub bodies 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 <b>five three</b> 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</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, <b>referring to the matters in their deputation requisition</b> 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</p>  |



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| when doing so.  |  | business on the Council agenda when doing so.  |
| Adding a new paragraph to the deputation section 30.7 | 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. | 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. |