

COUNCIL	AGENDA ITEM No. 14(a)
29 JANUARY 2014	PUBLIC REPORT

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VARIATION TO STANDING ORDERS

RECOMMENDATIONS
FROM : Director of Governance
<p>It is recommended that:</p> <ol style="list-style-type: none"> 1. Standing Orders are varied in that Council: <ol style="list-style-type: none"> (a) revoke the following Standing Orders as set out in the Constitution at: <ol style="list-style-type: none"> (i) Part 4, Section 1 of the Council's Constitution - The Council's Rules of Procedure; (ii) Part 4, Section 2 of the Council's Constitution - Standing Orders which relate to Committees only; and (iii) Part 4, Section 3 of the Council's Constitution - Standing Orders which apply to Council and Committees; and (b) adopt the Council Standing Orders set out at Appendix A; and 2. That the Constitution Working Group consider the revisions following six months of operation and report to Council as necessary.

1. PURPOSE AND REASON FOR REPORT

- 1.1 A Constitutional Working Group is undergoing a process of reviewing and updating the Council's Constitution. The first tranche of work was to assess the standing orders applying to meetings of the Council and its Committees and Sub-Committees, resulting in the recommendations contained within this report.
- 1.2 This report was originally presented to Full Council at its meeting held on 4 December 2013, and in accordance with Standing Order 10 of the General Standing Orders, the proposed variation was postponed without discussion to the next ordinary meeting.
- 1.3 The postponement allowed for Members to have time to fully consider the changes and the report is now re-submitted for debate.

2. BACKGROUND

- 2.1 The Constitutional Working Group (CRG) has been meeting in its current form as of July 2013, charged with reviewing the Council's Constitution. The CRG is made up of Cllr Harrington, Cllr Johnson, Cllr Sandford and Cllr Seaton. Officers in attendance and supporting the Group's work

were the Law & Governance Interim, Mr Philip McCourt; Head of Governance, Mrs Diane Baker; and Senior Governance Officer, Ms Gemma George.

- 2.2 Given previous comments in Council, the CRG began with standing orders for the council and its committees and sub-committees.
- 2.3 The approach took two forms. The first was to compare the current standing orders to the model standing orders provided as part of the model constitution exercise for the introduction of the Local Government Act 2000 and a revised model produced in 2012, both of which are an iteration of much earlier model standing orders issued to local government. This process could then highlight those elements where Peterborough City Council's standing orders differ from the models, allowing consideration of whether this 'drift' from the model was a conscious choice or not and whether the differences should remain as part of revised standing orders or be discarded as being an error or no longer relevant.
- 2.4 Alongside this, Members of the CRG also raised areas of possible change to the current Standing Orders, based on requests for change or criticisms of current practice. Some of these were about custom and supporting practice rather than a change to the core rules, but overall these were:
- (a) Motions and how put (withdrawal, single member support, etc.)
 - (b) Amendments – consideration of submission in writing on prior notice deadline unless consent of the mayor at the meeting
 - (c) Flow and process – notes for Mayor and members
 - (d) Points of order, etc., - consideration of how these are used and whether they should be altered or condensed into one 'point of accuracy', together with actions to assist Mayor's regulation of debate
 - (e) Public question time
 - (i) Supplementary limited to 1 minute
 - (ii) Extended to 30 minutes
 - (f) Drafting of questions submitted in advance and replies - time limit or word count on responses
 - (g) Requests for recording the meeting (– identified 'spot' for recorders to avoid infringing privacy of other members of the public)
 - (h) Webcasting
 - (i) Standing when speaking and problems with the recording and sound loop/amplification system (– only to be considered after technical assessment of microphone layout)
 - (j) Order of business:
 - (i) Members' questions to the end of the meeting to ensure that business items are not adjourned
 - (ii) Cabinet decision item to be taken before public questions
 - (iii) Order to be varied at request to Mayor
 - (iv) Closure of business procedure captured
- 2.5 These two sets of considerations led to a set of revised standing orders being drafted, allowing for a number of choices of wording, approach and effect. These were considered by the members of the CRG, and the governance officers, over a number of meetings and exchanges. The resulting standing orders to be recommended by the CRG to Council are attached as Appendix A.
- 2.6 The revised standing orders are intended to replace those currently in place for Council and the committees and sub-committees of Council, combining and amending the procedure rules set out in Part 4, Sections 1, 2 and 3 of the Council's Constitution.

- 2.7 Many of the changes are technical in nature, to correct errors or to account for changes in the law, but a number will be seen to be fundamental to the flow of the Council meeting. The principle changes and most obvious to Members and the public will be:
- (a) Questions from the public and from Members to the Leader, cabinet members, chairs and group leaders under separate procedures.
 - (b) A clear 30 minutes allowed for public questions
 - (c) A set of time limits for both the asking and answering of questions and supplemental questions.
 - (d) In response to the legal requirement for a policy on submission of petitions, a clear and simple process.
 - (e) Amendments to motions to be submitted in advance of the council meeting and in writing, other than in exceptional circumstances, to be shared with members and the public prior to the meeting.
 - (f) The deletion of a 'point of information', which is an uncommon addition, and the introduction of a 'point of accuracy' which may only be raised with the consent of the Member speaking
 - (g) Members to no longer be required to stand when talking so as to make full use of the technology for amplification, recording and the hearing loop
 - (h) Provision for the public to record the meeting
 - (i) Description of the Annual Meeting in two parts
 - (j) Inclusion of a standing order to respond to the updated Nolan Principle on conflicts of interest.

2.8 A few elements are what might be termed experimental or involve a cultural change, such as moving members' questions to the end, the use of "points of accuracy" to allow a short interruption of a speaker with their consent and speaking without standing. For this reason, the Constitution Working Group has recommended that the revisions be reviewed after six months of operation.

3. FINANCIAL IMPLICATIONS

3.1 There are no financial implications for any of the above report.

4. LEGAL IMPLICATIONS

4.1 There are a number of standing orders that are mandatory or are direct repetition of the relevant Act or Regulation. These are included where required.

5. BACKGROUND DOCUMENTS

Notes and agenda of the Constitution Review Group. All other background papers are otherwise published.

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