

## **Annual Council – 19th May 2008**

### **Constitution and timetable of meetings 2008/2009**

#### **1. Summary of report**

This report sets out proposed amendments to the Constitution in relation to Council procedure rules with regard to questions and notices of motion and the remits of Scrutiny and Performance Panels. The report also sets out the timetable of meetings to be adopted for the municipal year 2008/2009 and an update on the membership of the Independent Remuneration Panel.

#### **2. Recommendations**

- 2.1 That the amendments to Council procedure rules relating to questions and notices of motion as set out in Appendix 1 be approved.
- 2.2 That the amendments to Article 6 and Part 3.2 of the Constitution relating to Scrutiny and Performance Panels as set out in Appendix 2 be approved.
- 2.3 That the timetable of meetings for the municipal year 2008/2009 as set in Appendix 3 be approved.
- 2.4 That the membership of the Independent Remuneration Panel be noted.

#### **3. Background information**

##### **3.1 Council procedure rules**

The Council procedure rules were last amended in 2006 to take into account modifications required in line with local use. Since then, as required by the Constitution, the Monitoring Officer has observed the operation of the rules and considered if they need amending to better reflect local circumstances.

It is proposed that two aspects of the rules, those relating to members questions and notices of motion, should be modified to allow for better representation by all Councillors. The rules as drafted, encourage a first past the post ideology. Thus with respect to questions, the first few received that can be asked and answered in 30 minutes get dealt with at the Council meeting and with respect to notices of motion the first 3 received appear on the summons. The rules have no provision for ensuring equality of opportunity for all members to have a chance to ask a question or to have a motion debated. Whilst it is not proposed to extend the time available for each class of engagement at Council it is proposed to limit the impact of the current race for the agenda.

It is therefore proposed that whilst all questions and motions received shall continue to be entered into a book on a first come first served basis, that with regard to questions they are listed on the summons in the following manner. Each members' first question is listed followed by each members' second question etc. This will improve the chances of each member having the opportunity to ask a question at Council.

With regard to notices of motion, a similar listing mechanism is proposed, whilst retaining the current limit on numbers. **Appendix 1** attached to this report details the current and proposed wording.

### **3.2 Scrutiny and Performance Panels**

The remits of Scrutiny and Performance Panels were last reviewed in 2006. The proposed changes reflect and build on discussions and work completed by the Scrutiny Working Group during the year to provide greater clarity for scrutiny and performance panels when planning their work programmes. The proposed remits for panels are attached at **Appendix 2**.

### **3.3. Timetable 2008/2009**

The draft timetable which is recommended for approval is attached as **Appendix 3**.

The timetable has been prepared on the same basis as last year.

Although Local Neighbourhood Partnerships are not Committees of the Council the dates have been included in the timetable for the convenience of members' diaries.

In order for business to be administered in the most effective way possible, it is important that once the timetable is agreed by the Council, only in the most exceptional circumstances should meeting dates be re-arranged.

### **3.4 Independent Remuneration Panel – Members' Allowances**

As members will recall the Independent Remuneration Panel undertook a review of Members' Allowances Scheme in the autumn of 2006 and reported their recommendations to Council on 15th January 2007. The results of the recommendations came into force on 1st April 2007. The members of the panel subsequently indicated that they wished to remain members of the panel and their names are listed below:

Richard Hood – Stratford Borough Council  
Nicky Cooper – Walsall tPCT  
Paul Jay – Vehicles Collections

## **Background papers**

Nil

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Signed:

Chief Executive

Date: 9th May 2008

## Amendments to Council Procedure Rules

Current rule	Proposed rule
<b>Questions by Members</b>	
<b>11.4 Notice of Questions</b>  A Member may only ask a question under Rule 11.2 or 11.3 if either:	<b>11.4</b>  A Member may only ask a question under Rule 11.2 or 11.3 if either:
(a) they have given at least 7 clear days notice in writing of the question to the Chief Executive, or in the case of a Joint Authority of which the Council is a constituent authority or the Police Authority, in which case 10 working days are required;	(a) since the last council meeting they have given at least 7 clear days notice in writing of the question to the Chief Executive, or in the case of a Joint Authority of which the Council is a constituent authority or the Police Authority, in which case 10 working days are required;
(b) the question relates to urgent matters, they have the consent of the person presiding to whom the question is to be put and the content of the question if given to the Chief Executive by noon on the day of the meeting;	(b) the question relates to urgent matters, they have the consent of the person presiding to whom the question is to be put and the content of the question has been given to the Chief Executive by noon on the day of the meeting
(c) questions will be dealt with strictly in accordance with the order in which they are received by the Chief Executive; or	(c) questions will be dealt with strictly in accordance with the order in which they are received by the Chief Executive except where one or more member has submitted more than one question. In that case the first question from each member shall be listed, then the second question and so on , in the order they were received.
(d) every question shall be relevant to the authority's function, or the area of authority of part of it or the inhabitants of the area of some of them.	[ No change ]
(e) if the Member is not present to ask the question, it shall lapse.	[No change ] .

Current Rule	Proposed Rule
<b>Notices on Motion</b>	
<p><b>13.2 Inclusion on Summons</b></p> <p>(a) The Chief Executive shall insert on the Summons for any meeting of the Council all notices of motion duly given in the order in which they have been received, save that no more than three new notices of motion shall be included in any Summons.</p>	<p><b>13.2</b></p> <p>(a) The Chief Executive shall insert on the summons for any meeting of the Council the first three notices of motion duly given since the last meeting of the Council in the order in which they have been received except where a member has submitted more than one motion in which case the first motion from each member shall be listed, then the second motion and so on , in the order they were received. Any motion received that is not included on the summons as result of the above shall lapse.</p>

### **Proposed revised remits for Scrutiny and Performance Panels set out in Article 6 and Part 3 of the Constitution**

Delete the current remit and replace with the following:

#### **Corporate Scrutiny and Performance Panel**

All aspects and general services relating to the Council's corporate centre for example; financial services including the annual budget process and the Council wide financial position, corporate performance management, legal and constitutional services, services falling within the Council's transformation agenda within the functions set out in section 21 of the Local Government Act 2000.

#### **Neighbourhood Scrutiny and Performance Panel**

All aspects and general services related to serving the community, for example; community safety, leisure, libraries, heritage, neighbourhood partnership services, services relating to the built environment such as waste management, highways maintenance and traffic management, the management of land and property, public protection within the functions set out in section 21 of the Local Government Act 2000.

#### **Children and Young People Scrutiny and Performance Panel**

All aspects and general services related to serving children and young people for example; education, children services, youth services within the functions set out in section 21 of the Local Government Act 2000.

#### **Regeneration Services Scrutiny and Performance Panel**

All aspects and general services related to regeneration for example; economic, environmental and physical regeneration, planning, partnership working within the functions set out in section 21 of the Local Government Act 2000.

#### **Health, Social Care and Inclusion Scrutiny and Performance Panel**

All aspects and general services related to social care and inclusion for example; adult services, strategic housing together and health service matters as conferred under the Health and Social Care Act 2001 within the functions set out in section 21 of the Local Government Act 2000.

TIMETABLE 2008/2009

	May	June	July	August	September	October	November	December	January	February	March	April	May
Mon.								1 Audit Sp. Health£					
Tues.			1 Employ B Blakenall LNP					2 Employ B Aldridge LNP					
Wed.			2			1		3 Licensing Sp. Regen£				1 Darlaston LNP	
Thur.	1 Election		3 Employ A Palfrey LNP			2 Employ A Regen. SP		4 Employ A Neighbour SP	1 Bank hol.			2 Employ A Neighbour SP	
Fri.	2		4	1		3		5 Sp. Children£	2			3	1
Mon.	5 Bank Hol.	2	7 Council	4	1 Audit	6	3 Council	8 Br'hills LNP Darlaston LNP	5 Standards	2 Blakenall LNP	2 Audit	6 Standards	4 Bank hol
Tues.	6	3 Employ B	8 Employ B Pelsall LNP	5 Devel. Con.	2 Employ B Aldridge LNP	7 Employ B Devel. Con.	4 Employ B Pelsall LNP	9 Employ B Devel. Con.	6 Employ B Devel. Con.	3 Employ B Darlaston LNP	3 Employ B	7 Employ B Pelsall LNP Pheasey LNP	5
Wed.	7	4	9 Darlaston LNP	6	3 Blakenall LNP	8	5 LEA Panel	10 Blakenall LNP	7 Willenhall LNP	4 Cabinet	4 Licensing	8 Willenhall LNP	6
Thur.	8	5 Employ A Health SP	10 Employ A Health SP	7	4 Employ A Neighbour SP	9 Employ A Health SP	6 Employ A Regen. SP	11 Employ A Corporate SP£	8 Employ A Regen. SP	5 Employ A	5 Employ A Children SP	9 Employ A Corporate SP	7
Fri.	9	6	11	8	5	10	7	12 Corp'ateSP£	9	6	6	10 Bank hol.	8
Mon.	12	9	14 Pheasey St. Matts LNP	11	8 Council	13 Audit	10 Pheasey LNP	15 Palfrey LNP Pheasey LNP	12 Council	9 Palfrey LNP	9	13 Bank hol.	11
Tues.	13	10 Employ B Neighbour SP	15 Employ B Devel. Con.	12	9 Employ B Brownhills LNP	14 Employ B Aldridge LNP	11 Employ B St. Matts LNP	16 Employ B Pelsall LNP	13 Employ B Audit	10 Employ B Pheasey LNP	10 Employ B Devel. Con.	14 Bank hol	12
Wed.	14	11	16 Cabinet Willenhall LNP	13	10 Licensing	15 Blakenall	12	17 Cabinet LEA Panel	14 Cabinet	11	11	15 Licensing	13
Thur.	15	12 Employ A Corporate SP	17 Employ A Neighbour SP	14	11 Employ A Corporate SP	16 Employ A Neighbour SP	13 Employ A Willenhall LNP	18 Employ A Children SP	15 Employ A St. Matts LNP	12 Employ A Health SP	12 Employ A Regen. SP	16 Children SP	14
Fri.	16	13	18	15	12	17	14	19	16	13	13	17	15
Mon.	19 Annual Council	16 Standards	21	18	15 Palfrey LNP	20 Brownhills LNP	17	22	19 HealthSP£ Regen SP£	16 Pelsall LNP	16 LEA Panel	20 Council	18 Annual Council
Tues.	20	17 Employ B Children SP	22 Employ B Corporate SP	19	16 Employ B Devel. Con.	21 Employ B	18 Employ B Devel. Con.	23	20 Employ B Children SP£	17 Employ B Devel. Con.	17 Employ B	21 Employ B Devel. Con.	19
Wed.	21 Adj Council	18 Cabinet	23	20	17 Cabinet Darlaston LNP	22 Cabinet Licensing	19 Cabinet	24 Bank hol.	21 Licensing	18 Willenhall LNP	18 Cabinet	22 Cabinet	20 Adjourned Council
Thur.	22	19 Employ A Regen SP	24 Employ A Children SP	21	18 Employ A Audit	23 Employ A Corporate SP	20 Employ A	25 Bank hol.	22 Employ A Neighbour SP£	19 Employ A Neighbour SP	19 Employ A Darlaston LNP	23 Employ A Regen. SP	21
Fri.	23	20	25	22	19	24	21	26 Bank hol.	23 Corp. SP£	20	20	24	22
Mon	26 Bank hol	23 Audit	28	25 Bank hol	22 Pheasey LNP	27 Palfrey LNP	24	29	26Aldridge LNP Brownhills LNP	23 Council £	23Aldridge LNP Brownhills LNP	27 St. Matts LNP	25 Bank hol
Tues	27 Bank hol	24 Employ B Devel. Con.	29	26 Bank hol	23 Employ B Pelsall LNP	28 Employ B Devel. Con.	25 Employ B Sp. Neighbour£	30	27 Employ B Devel. Con.	24 Employ B St. Matts LNP	24 Employ B	28 Audit	26 Bank hol
Wed	28 Licensing	25 LEA Panel Aldridge LNP	30 Licensing	27 Devel. Con.	24 LEA Panel	29 Darlaston LNP	26	31	28 LEA Panel	25	25 Blakenall LNP	29	27
Thur	29 Devel. Con.	26 Employ A Sp. Audit	31 Regen. SP	28 Health SP	25 Employ A Children SP	30 Employ A Children SP Standards	27 Employ A Health SP		29 Employ A	26 Employ A Corporate SP	26 Employ A Health SP	30	28
Fri	30	27		29	26	31	28		30	27	27		30
Mon		30 Brownhills LNP			29 St. Matts. LNP						30 Palfrey SP		
Tues					30 Employ B Willenhall LNP						31 Employ B Devel. Con.		