

CYNGOR SIR POWYS COUNTY COUNCIL

County Council
10 October, 2019

REPORT BY: Head of Legal and Democratic Services
SUBJECT: Recommendations from the Democratic Services Committee

REPORT FOR: Decision

1. Questions by Members at Council and Speaking at Council Meetings.

- 1.1 At the meeting of the Democratic Services Committee on 29th July 2019, the following decisions / recommendations were made:

Questions by Members at Council.

RECOMMENDATION TO COUNCIL

That in addition to Members being able to ask questions to Council [as permitted under the Constitution] the Newport County Council system of "Formal Questions at Any Other Time" be trialled for a period of 12 months and that the trial be reviewed, with a report being made to Council.

Speaking at Council Meetings.

RESOLVED THAT

a Group leaders meeting be held, to discuss the proposal of the having nominated speakers to items on Council agendas, before the next Council meeting.

- 1.2 A Group Leader's Meeting was held on 30th August which considered both these matters and the views of the Group Leaders is set out below.

1.3 Speaking at Council Meetings.

Group Leaders were supportive of having nominated speakers by the political groups on any matter at Council as well as allowing individual Members to make different / additional points. It was suggested that if approved by Council that a workshop be held for Members prior to its introduction.

1.4 Questions by Members at Council.

Group Leaders were also supportive of a trial of the implementation of a "Formal Questions at Any Other Time" being introduced. It was queried whether questions relating to operational matters be made to Heads of Service for consideration, as operational matters were within the remit of Heads of Service with Portfolio Holders responsible for policy direction. The

same process for questions to Portfolio Holders could be utilised for questions to Heads of Service.

Group Leaders also considered that the trial period should be for 3 months and then reviewed by the Democratic Services Committee. It was further considered that a workshop be held for Members to clarify how the new system would operate prior to its introduction.

- 1.5 The views of the Group Leaders were considered by the Democratic Services committee at its meeting on 30 September, 2019. The Committee noted that in order to implement a revised process for questions would require the suspension of Rule 4.29 for the period of the trial and replacement with Rules 4.29 A to C, and for changes to speaking at meetings it would require amending Rule 4.47 as set out in Section 4 of the Constitution attached as **Appendix 1**.

RECOMMENDATION TO THE COUNTY COUNCIL:	Reason for Recommendation:
<p>(i) That Rule 4.29 of the Constitution is suspended for an initial period of 3 months to allow a trial of a "Formal Questions at Any Other Time" process,</p> <p>(ii) That the trial be reviewed by the Democratic Services Committee at the end of that period with delegated power to the Chair of the Democratic Services committee in consultation with the Committee to extend the trial period.</p> <p>(iii) During the trial period referred to in (i) and (ii) above a new Rule 4.29A to 4.29C as set out in Appendix 1 is adopted.</p> <p>(iv) That the Council implements a process of having nominated speakers to items on Council agendas (in addition to other Members making different / additional points), in accordance with amended Rule 4.47 as set out in Appendix 1.</p> <p>(v) That a workshop for Members be held to explain the new processes prior to their implementation.</p>	<p>(i) To allow Members to ask formal questions of Portfolio Holders at any time rather than waiting for meetings of the Council.</p> <p>(ii) To allow nominated speakers to speak on Council agenda items.</p> <p>(iii) To explain the new processes to Members before implementation.</p>

2. Constitution.

2.1 Section 4 – Full Council

Attached is an amended version of Section 4 (**Appendix 1**). The items for consideration by the Council are as follows:

Rule 4.49	Amendments to Motions	There has been comment following recent Council meetings as to the way amendments were dealt with at Council meetings. A review of the process has been undertaken and the revisions provide that simple amendments must be received by the Monitoring Officer in writing by 10 a.m. on the morning of the meeting. Substantial amendments to motions must be received in writing by the Monitoring Officer by 5 p.m. the day prior to the meeting.
Rule 4.66	Recorded Vote	This is a simple amendment as to when a recorded vote can be used at which meetings.

2.2 Section 16 – Financial Procedure Rules

Attached is a copy of the amended version of Section 16 (extract only – **Appendix 2**) relating to Rule 16.89.

2.3 Section 25 – Local Resolution Protocol

Attached is a copy of the amended version of Section 25 (**Appendix 3**) relating to Rule 25.6.3. The Committee received a request to review the protocol, specifically whether there was a need for a Chair for the resolution meetings and whether notes of the meeting should be prepared. The Committee accepted that the Monitoring Officer should facilitate the meetings which was already included in the protocol. With regard to notes, the Committee decided that a record of the outcome only should be kept rather than notes of the meeting.

RECOMMENDATION TO THE COUNTY COUNCIL:	Reason for Recommendation:
That the amendments to Sections 4, 16 and 25 of the Constitution be approved.	To review and update the Constitution.

Contact Officer:	Wyn Richards, Scrutiny Manager and Head of Democratic Services.
Tel:	01597-826375
Email:	wyn.richards@powys.gov.uk