

CORPORATE MANAGEMENT COMMITTEE

13 JUNE 2016

REFERENCE FROM COUNCIL

A.1 MOTION TO COUNCIL – PROPOSED CHANGE TO THE COUNCIL’S COUNCIL PROCEDURE RULES IN RESPECT OF THE BUDGET AND COUNCIL TAX SETTING MEETING OF THE COUNCIL

(Report prepared by Ian Ford)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To enable the Committee to consider a motion to Council in respect of a proposed change to the Council’s Procedure Rules in respect of the Budget and Council Tax setting meeting of the Council.

To then recommend to full Council on 5 July 2016 whether the motion should be supported.

EXECUTIVE SUMMARY

At the meeting of the Council held on 5 April 2016 (Minute No. 124 refers), Councillor Amos submitted a motion to Council that proposed a change to Council Procedure Rules in respect of the Budget and Council Tax setting meeting of the Council.

The crux of Councillor Amos’ motion is that, with certain exceptions, at the relevant ordinary meeting of the Council when the Council’s Budget and Council Tax is approved and set no business would be included on the Agenda of the Budget and Council Tax setting meeting and all other Council Procedure Rules shall be construed accordingly. Councillor Amos feels that this would be appropriate due to the need to ensure that the Budget and all proposed amendments thereto are properly and democratically debated and that having other business items on the Agenda precludes this and makes the meeting run very late into the evening.

In debating Councillor Amos’ motion, a number of Councillors expressed their concerns that implementing Councillor Amos’ motion would remove an opportunity for Members and the public to hold the Executive to account by submitting Questions and would also remove an opportunity for Members to submit a Motion to Council.

In the light of those concerns Council decided to refer Councillor Amos’ motion to this Committee for its consideration and report back to Council.

This report sets out the options for the Committee to consider in making its recommendation to Council.

RECOMMENDATION(S)

RECOMMENDATIONS TO COUNCIL:

- (a) That Councillor Amos' motion to Council be approved and implemented; and
- (b) That an additional ordinary meeting of the Council be held on 24 January 2017 (and during every subsequent January thereafter).

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The proposed recommendations to Council will help ensure that the Council has a single focus on its Budget at its February meeting and can properly consider in detail the Budget and all proposed amendments thereto. In addition, the inclusion of a meeting in January will mean that Members and the public do not lose an opportunity to hold the Executive to account by submitting Questions or also remove an opportunity for Members to submit a Motion to Council.

FINANCE, OTHER RESOURCES AND RISK

If the recommendations to Council are approved there will be an ongoing minor expenditure to the Council as there will be an increase in the number of meetings that will be administered. This will include costs such as paper and postage in the production and distribution of Agendas etc., attendance allowances and mileage for Officers and Members and electricity and other utility costs for the venue.

LEGAL

The action proposed is within the Council's discretionary powers.

OTHER IMPLICATIONS

None.

PART 3 – SUPPORTING INFORMATION

OPTIONS TO BE CONSIDERED BY THE COMMITTEE

Option One – Keep the Status Quo and Recommend that Councillor Amos' Motion be not Approved

The **Advantage** of this option is that no changes need to be made or actions taken and everything carries on as before.

The **Disadvantage** of this option is that there could be continued instances of an Agenda at the February meeting containing a lot of ordinary business in addition to the Budget which will run a real risk of the meeting finishing very late and also Members feeling constrained in the amount of time that they can spend debating the Budget and any proposed amendments thereto.

Option Two – Recommend that Councillor Amos' Motion be Approved and Implemented

The **Advantage** of this option is that it will help ensure that the Council has a single focus on its Budget at its February meeting and can properly consider in detail the Budget and all proposed amendments thereto without Members' feeling constrained in any way in the amount of time that they can spend debating the Budget and any proposed amendments thereto.

The **Disadvantage** of this option is that it would remove an opportunity for Members and the public to hold the Executive to account by submitting Questions and would also remove an opportunity for Members to submit a Motion to Council.

Option Three - Recommend that Councillor Amos' Motion be Approved and Implemented but that an additional ordinary meeting of the Council be held each January

The **Advantage** of this option is that, in addition to ensuring that the Council has a single focus on its Budget at its February meeting, the inclusion of an additional ordinary Council meeting in January will mean that Members and the public do not lose an opportunity to hold the Executive to account by submitting Questions or also remove an opportunity for Members to submit a Motion to Council.

The **Disadvantage** of this option is that it will add another meeting to Members' already busy schedule of meetings and there will also be an ongoing minor expenditure to the Council as there will be an increase in the number of meetings that will need to be administered.

Having considered all of the above options it is the view of Officers that Option 3 is the most favourable to the interests of both the Council as a body corporate and of Members themselves and that this Committee should recommend that option to the Council.

BACKGROUND

At the meeting of the Council held on 5 April 2016 (Minute No. 124 refers), Councillor Amos submitted the following motion to Council:

“(a) That this Council resolves that, with effect from the 2016/2017 Municipal Year, at the ordinary meeting of the Council at which the Council’s Budget and Council Tax is approved and set no other significant business will be included on the Agenda of that meeting;

“(b) That, consequently, the Council’s Constitution be amended by the insertion of a new “Council Procedure 2 – Budget and Council Tax Setting Meeting of the Council” and that the subsequent Council Procedure Rules be renumbered accordingly and that all necessary textual amendments be made thereto;

“(c) That the wording of the new Council Procedure Rule 2 – Budget and Council Tax Setting be as follows:

“At the relevant ordinary meeting of the Council when the Council’s Budget and Council Tax is approved and set no business except that identified below will be included on the Agenda of the Budget and Council Tax Setting Meeting and all other Council Procedure Rules shall be construed accordingly. The Budget and Council Tax Setting Meeting shall:

- (i) Receive apologies for absence;
- (ii) Elect a person to preside if the Chairman and Vice-Chairman of the Council are not present;
- (iii) Deal with any business required by Statute to be dealt with before any other business;
- (iv) Approve the minutes of the last meeting;
- (v) Receive any announcements from the Chairman and/or the Chief Executive and any statements from the Leader of the Council and/or members of the Cabinet;
- (vi) Approve and set the Council's Budget and Council Tax;
- (vii) Deal with any business remaining from the last Council meeting; and
- (viii) Consider any Urgent Matters for Debate

Matters which are not on the agenda and which a Member considers should be reported urgently to the Council may, with the consent of, and in a form approved by, the Chairman, be brought before the meeting by way of a short written statement which shall be read by the Chief Executive, Section 151 Officer or Monitoring Officer, as part of his or her reports and communications. The Member concerned may, by leave of the Chairman, speak on the statement and move a motion unless advised otherwise by the Chief Executive, Section 151 Officer or Monitoring Officer.

(d) That the Council's Monitoring Officer be authorised to make the necessary alterations and amendments to the Constitution to give effect to the above."

Having debated Councillor Amos' motion and in the light of Members' concerns Council decided to refer Councillor Amos' motion to this Committee for its consideration and report back to Council.

Members will be aware that, at the Annual Meeting of the Council held on 26 April 2016 (Minute 11 refers), a provisional additional ordinary meeting of the Council to be held on 24 January 2017 was added to the programme of meetings in anticipation that Council might agree with option 3 above.

BACKGROUND PAPERS FOR THE DECISION

None

APPENDICES

None
