

# COUNCIL

<b>DATE</b>	26 <sup>th</sup> September 2024
<b>REPORT OF</b>	Monitoring Officer
<b>SUBJECT</b>	Amendment to Council Procedure Rules (Standing Orders)
<b>STATUS</b>	Open

## CONTRIBUTION TO OUR AIMS

Good governance arrangements and ethical standards contribute directly to the achievement of the Council's strategic aims.

## EXECUTIVE SUMMARY

This report sets out proposed amendments to the rules of procedure for Council meetings (the 'Standing Orders' of Council) as previously set out in the Annual Review of the Constitution report considered at the Annual Meeting of Council on 23<sup>rd</sup> May 2024. As per the Council's Constitution (Article 5, Appendix 1, Standing Order 21.2), this change was referred to the next ordinary meeting of the Standards and Adjudication Committee which was held on 24<sup>th</sup> July 2024. The committee's recommendation is included in this report for Council's consideration.

## RECOMMENDATIONS

That the proposed amendments to the Council's Standing Orders and the recommendation of the Standards and Adjudication Committee be considered by Council.

## REASONS FOR DECISION

The Standing Orders form part of the Council's Constitution and any changes to the Constitution have to be notified to full Council for formal approval.

### 1. BACKGROUND AND ISSUES

1.1 The Council's Constitution is reviewed on an annual basis and the outcome reported to the Annual Meeting of Council. Accordingly, a report was submitted to the Annual Meeting held on 23<sup>rd</sup> May 2024 and included a number of amendments to the Council's rules of procedure ('Standing Orders') proposed by the Labour Group.

1.2 The amendments were proposed as follows:

#### 1.2.1. Questions on the Minutes

To re-introduce questions to scrutiny panel chairs on minutes.

This would require an amendment to Standing Order 10B as follows  
(insertions in bold):

- 10B      Cabinet, **Scrutiny** & Regulatory Committee Minutes – Procedure for Submission to Council
- 10B.1    At each of the scheduled Ordinary meetings of the Council, the Minutes of the Cabinet, Scrutiny and Committees (otherwise referred to as the “Minute Book”) shall be moved en bloc (normally) by the Leader of the Council and seconded (normally) by the Deputy Leader of the Council prior to being put to the vote.
- 10B.2    The Mayor shall only invite questions on the minutes of Cabinet, **Scrutiny**, Regulatory and other Committees ~~(but not Scrutiny Panels)~~ where such questions have been received on Notice.
- 10B.3    Questions on Notice must be submitted to the Chief Executive and / or the Monitoring Officer by no later than 11.59pm on the second day before the date of the Council meeting (for example, by 11.59pm on the Tuesday if the meeting is on a Thursday). Questions will be referred to the appropriate Member referred to in 10.B.7. The Member shall provide a response at the Council meeting.
- 10B.4    A schedule of questions received in accordance with this Standing Order shall be made available at the meeting. At the relevant point, the Mayor will invite the questioner to read out their question. One minute shall be permitted for the question to be read out as submitted (without introductory preamble or comment). A supplementary question of one minute in duration (and without introductory preamble or comment) is permitted provided that it arises from the answer to the first question. The Member questioned shall use reasonable endeavours to appropriately respond to the supplementary question. Where a specific data set is requested a written response shall be deemed reasonable.
- 10B.5    No motion shall be permitted in respect of such Minutes except as to accuracy.
- 10B.6    In the case of any Minutes that have been referred to Council for a decision (i.e. a recommendation to Council) the report to the Cabinet or the non-executive committee or Scrutiny meeting which resulted in such a recommendation shall be set out in the agenda for members' information.
- 10.B.7    In the case of questions relating to Cabinet or individual Portfolio Holder business, the Cabinet member whose Portfolio covers the area concerned shall reply. In the case of questions relating to Minutes of a **scrutiny**, regulatory, or other committee the relevant Chairman shall reply provided that, if a question concerns a matter

*of Council policy, the relevant Portfolio Holder shall also have the right of reply.*

### 1.2.2 Questions on Notice

To increase the limit on questions on notice to portfolio holders from one per member at any one meeting (as at present), to two questions per member on different areas of their portfolio.

This would require an amendment to Standing Order 10.2 as follows (insertions in bold):

#### *10.2 Questions on notice at full Council*

*Subject to Standing order 10.3, a Member of the Council may ask:*

- *the Mayor;*
- *the Leader, Deputy Leader or a Member of the Cabinet; or*
- *the Chairman of any Committee or Sub-Committee*

*a question on any matter in relation to which the Council has powers or duties or which affects North East Lincolnshire*

*Any Member of Council is permitted to ask **two questions** on notice (with a supplementary question where appropriate) of any Portfolio Holder at any one meeting of Council **on different areas of their portfolio.***

### 1.2.3 The Leader's Statement

To allow the Leader of the Principal Opposition to have 5 minutes in response to the Leader's Statement.

This would require an amendment to Standing Order 2.2 (v) as follows (insertion in bold):

- (v) *receive any announcements from the Mayor and then a statement from the Leader of the Council, such statement to be for a duration of no longer than 15 minutes , updating Council in respect of:*
- *key issues of significance to the social, economic or environmental well-being of the area*
  - *Special Urgency decisions taken in accordance with the Constitution*
  - *the implementation of Motions previously resolved at the preceding Council meeting(s).*

*Such statement (or any part thereof) shall be delivered verbally or in writing at the absolute discretion of the Leader.*

***The Leader of the Principal Opposition shall be permitted to have 5 minutes in response to the Leader's Statement.***

- 1.3 Having been proposed and seconded, the proposals stood adjourned without discussion to the next ordinary meeting of the Standards and Adjudication Committee.
- 1.4 The Committee considered the proposals at its meeting on 24<sup>h</sup> July 2024. With regard to questions on the minutes, recommendations were put forward to allow questions on a restricted basis but these were not carried by the committee. Having discussed the proposals at length, the committee recommended to Council that the proposed amendments to the Council's standing orders, as set out in paragraph 1.2 of this report, not be implemented.
- 1.4 Full Council is now asked to make a final decision on this matter.

## **2. RISKS AND OPPORTUNITIES**

The proposed amendments to Standing Orders are suggested to clarify the way full Council meetings are managed.

## **3. OTHER OPTIONS CONSIDERED**

Not applicable.

## **4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS**

This matter is reported to Council as required by the Constitution.

## **5. FINANCIAL CONSIDERATIONS**

There are no direct financial considerations arising from the proposal in this report.

## **6. CHILDREN AND YOUNG PEOPLE IMPLICATIONS**

There are no direct implications for children and young people arising from the proposal in this report.

## **7. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS**

There are no direct climate change and environmental implications arising from the proposal in this report.

## **8. FINANCIAL IMPLICATIONS**

There are no financial implications arising from the proposal in this report.

## **9. LEGAL IMPLICATIONS**

As set out in the main body of the report.

## **10. HUMAN RESOURCES IMPLICATIONS**

There are no human resources implications arising from the proposal in this report.

**11. WARD IMPLICATIONS**

All wards are affected.

**12. BACKGROUND PAPERS**

Annual Review of the Constitution Report to full Council dated 23<sup>rd</sup> May 2024.  
Minutes of the Standards and Adjudication Committee meeting dated 24<sup>th</sup> July 2024.

**13. CONTACT OFFICER(S)**

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