

# Gloucester City Council

<b>Meeting:</b>	<b>General Purposes Committee Council</b>	<b>Date:</b>	<b>9 November 2021 18 November 2021</b>
<b>Subject:</b>	<b>Constitutional Changes</b>		
<b>Report Of:</b>	<b>Head of Paid Service</b>		
<b>Wards Affected:</b>	<b>All</b>		
<b>Key Decision:</b>	<b>No</b>	<b>Budget/Policy Framework:</b>	<b>No</b>
<b>Contact Officer:</b>	<b>Jon McGinty, Managing Director</b>		
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<b>Appendices:</b>	<b>1. Schedule of proposed revisions 2. Draft Revised Council Procedure Rules</b>		

## FOR GENERAL RELEASE

### 1.0 Purpose of Report

- 1.1 To propose changes to the Council Procedure Rules within the Council's Constitution in respect of questions by the public and elected Members at meetings.

### 2.0 Recommendations

- 2.1 General Purposes Committee is asked to consider the information contained in the report and make any **RECOMMENDATIONS** to the Council on the proposed changes to the Constitution.

- 2.2 Council is asked to **RESOLVE** to

- (1) Consider the recommendations of the General Purposes Committee and adopt the proposed changes to the Constitution, subject to:
  - Reducing the notice required for question by Members at meetings of the Cabinet to three clear working days.
  - A requirement that General Purposes Committee will review the operation of the proposed changes after three ordinary meetings of Council and decide whether to recommend to Council a return to previous arrangements or any other changes.
- (2) Note that, as the report proposes to make changes to the Council Procedure Rules, in accordance with Council Procedure Rule 10 and 12, the proposed amendments, if agreed, shall stand adjourned until the next ordinary Council meeting.

### **3.0 Background and Key Issues**

- 3.1 Under the emergency coronavirus legislation adopted in 2020, provision was made for meetings of Councils and their committees to be held via video conferencing technology as meetings 'in person' were not permitted.
- 3.2 During this time, if a member of the public wished to ask a question at a meeting, their technological capability was tested and they were given the option of either participating by video, telephone or to have the question read out on their behalf. Their question was to be submitted in advance of the meeting, regardless of the medium with which they wished to participate so that, in the event of technological failure, the question could still be put.
- 3.3 Members of the public were largely amenable to their question being shared with the relevant Cabinet Member which enabled for fuller answers to be provided. Many also opted for their question to be read out by an officer, in some cases because it was more convenient. Given that these changes were received positively, it is proposed that both are implemented on a permanent basis; a notice period of three clear working days is proposed and members of the public would have the option to have their question read out on their behalf if they are unable to attend the meeting.
- 3.4 It is further proposed that similar changes be made to questions by Members to introduce a notice period for questions asked during the verbal Members' Question Time slot at full Council and Cabinet meetings in order that fuller answers can be given. This would apply to both Leader and Cabinet Members' Question Time and Questions to Chairs of Committees and a slightly longer notice period of five clear working days (three clear working days for meetings of the Cabinet) is proposed to take account of the higher volume of questions expected from Members. An exception to the required notice is proposed for questions relating to urgent matters.
- 3.5 It is proposed that the separate provision for Written Questions to Cabinet Members be removed so as not to retain two similar question time facilities.
- 3.6 The remainder of the proposed amendments set out the detail of how the revised question time facilities would work in practice and deal with any consequential impact on other procedure rules. A schedule of the proposed changes is contained in Appendix 1, along with some possible alternatives for consideration, and Appendix 2 shows the revised Council Procedure Rules with tracked changes.

### **Recommendations of the General Purposes Committee**

- 3.7 The General Purposes Committee considered the proposed changes to Constitution at their meeting on 9 November 2021. The Committee resolved to recommend the changes to Council for approval, subject to the following:
1. That the notice required for questions by Members at meetings of the Cabinet be reduced from five clear working days to three clear working days to allow times for Members to review the Cabinet agenda before submitting any questions.
  2. That the operation of the proposed changes be reviewed by General Purposes Committee after three ordinary meetings of Council, with the Committee

deciding whether to recommend to Council a return to previous arrangements or any other changes.

- 3.8 Both recommendations are reflected in the recommendation before Council and the first is also reflected in the revised versions of Appendix 1 and 2 to this report and highlighted in yellow.

#### **4.0 Social Value Considerations**

- 4.1 Not applicable.

#### **5.0 Environmental Implications**

- 5.1 Not applicable.

#### **6.0 Alternative Options Considered**

- 6.1 See Appendix 1 for some alternative options that Members may wish to consider.

#### **7.0 Reasons for Recommendations**

- 7.1 It is good practice to keep the Constitution under periodic review.

#### **8.0 Future Work and Conclusions**

- 8.1 In accordance with Council Procedure Rule 10 and 12, the proposed amendments, if agreed, shall stand adjourned until the next ordinary Council meeting. The changes will be made to the Constitution, which will be republished on the council's website.

- 8.2 Further reviews and proposed revisions will be made in future to reflect the fact that the Constitution is an evolving document.

#### **9.0 Financial Implications**

- 9.1 None arising from this report.

(Financial Services have been consulted in the preparation this report.)

#### **10.0 Legal Implications**

- 10.1 None arising from this report.

(One Legal have been consulted in the preparation this report.)

#### **11.0 Risk & Opportunity Management Implications**

- 11.1 Not applicable.

#### **12.0 People Impact Assessment (PIA) and Safeguarding:**

12.1 The PIA screen stage considered whether accessibility and engagement with the democratic process would be impacted by the proposed changes and found that allowing members of the public to opt to have their question read out in their absence had the potential to improve accessibility and engagement by removing the barrier created by physical attendance.

12.2 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required.

### **13.0 Community Safety Implications**

13.1 Not applicable.

### **14.0 Staffing & Trade Union Implications**

14.1 Not applicable.

**Background Documents:** None