



**Havering**  
LONDON BOROUGH

## **GOVERNANCE COMMITTEE**

7 March 2019

**Subject Heading:**

**Amendments to Council Procedure Rules**

**SLT Lead:**

**Andrew Blake-Herbert  
Chief Executive**

**Report Author and contact details:**

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**Policy context:**

Council Procedure Rules

**Financial summary:**

There are no significant financial implications.

### **The subject matter of this report deals with the following Council Objectives**

Communities making Havering	<input checked="" type="checkbox"/>
Places making Havering	<input type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

### **SUMMARY**

At its meeting on 23 January 2019, Full Council resolved to refer back to Governance Committee for further consideration its report on the proposed revisions to Council Procedure Rules.

It is now for Governance Committee to determine whether to make any revisions to its proposals or re-submit the report to Council for a decision.

**RECOMMENDATIONS**

That the Committee:

1. Make revisions to the recommendations as set out in Section 1.1 of the report; or
2. Re-submit recommendations as set out in Section 1.1 for consideration at net meeting of Full Council.

**REPORT DETAIL**

1.1 In January 2019, following a motion approved by Full Council, Governance Committee reviewed the procedure rules which govern meetings of Full Council. A number of amendments to the procedure rules were proposed for consideration by Full Council at its meeting on 23 January 2019 (a copy of the Governance Committee report containing the proposed amendments is attached as Appendix A). For ease of reference, the recommendations were:

- (a) *The number of ordinary meetings of Council be reduced from 7 to 6 so that the pattern of meetings be:*
  - a. *January*
  - b. *February (Council Tax and budget)*
  - c. *March*
  - d. *May (the Annual Meeting)*
  - e. *July*
  - f. *September*
  - g. *November*
- (b) *The Leader's statement is to take place at the annual meeting (May), without any subsequent debate*
- (c) *Consideration of Council questions (to remain at 15 allocated proportionately amongst opposition groups) will be limited to 45 minutes in duration.*
- (d) *Consideration of motions will be limited to 75 minutes in duration (or such lesser time before the three hour meeting duration time permits).*
- (e) *Any motions or amendments not finished in the time available will be dealt with by vote only.*
- (f) *Rules of debate will be a single debate procedure in the following format (with the intermediate debate procedure being deleted):*
  - *five minutes for a mover of a motion or an amendment or an amendment to a report*
  - *three minutes for other speeches in any debate**Rights of reply (up to three minutes) may be exercised in the following order:*

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- *The Leader of the Group by which any motion, recommendation or amendment was proposed or, if the mover is not a member of a Group, that Member.*
  - *Where more than one Group or individual Member has proposed a motion or amendment, each shall be entitled to exercise a right of reply, in the order in which the motion or amendment(s) appears on the agenda.*
  - *The Leader of the Council*
- (g) *Every ordinary or special meeting of Full Council shall terminate after 3 hours or no later than 10:30pm whichever is earlier) provided that Full Council may decide to adjourn the meeting to a specified date on a motion to this effect being proposed and put to the vote without debate.*
- (h) *If there are motions or recommendations on the agenda that have not been dealt with (or withdrawn by the mover with the agreement of members) by 10.15 p.m. they are deemed formally moved and seconded (together with any amendments). No speeches will be allowed on these items and the vote will be taken in the usual way.*
- 1.2 At that meeting, Members resolved to refer the matter back to Governance Committee for further consideration. It is therefore now with Governance Committee to determine whether its original report and recommendations should remain, or whether any revisions should be made to the amendments in readiness for the matter to be reconsidered by Full Council at its next available meeting.
- 1.3 To assist Members in the course of their discussions, officers are proposing additional advice and guidance in respect of the submission of amendments and reports at the Council Tax setting meeting. The current procedures require amendments to be submitted no later than 6 clear days before the meeting. Once submitted, the Council's Section 151 Officer then assesses the adequacy of the amendment in delivering a balanced budget.
- 1.4 As an aid to assist Members through the process, it is suggested that a draft amendment(s) may be submitted to the Section 151 Officer 11 clear days prior to to the meeting, thereby enabling the officer to give advice on the efficacy of the amendment in meeting the "robust budget" test. Any agreed amendment(s) would need to be submitted no later than 6 clear days before the Council Tax setting meeting and issued with the final agenda.

### **IMPLICATIONS AND RISKS**

#### **Legal Implications and Risks**

The Council has a statutory obligation to meet in May for the Annual Meeting and in February to set the Council Tax and Budget. All other meetings are held at the Council's discretion (except where they are in response to a requisition for an extraordinary meeting).

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The format and conduct of Council meetings is a matter within the Council's control subject to the administrative law principle of Wednesbury reasonableness.

**Finance Implications and Risks – None**

**HR Implications and Risks – None**

**Equalities Implications and Risks - None**

**BACKGROUND PAPERS**

None