

## CAMBRIDGE CITY COUNCIL

---

REPORT OF: Democratic Services Manager

TO: Civic Affairs Committee

15/5/2017

WARDS: All

### **COMMITTEE APPOINTMENTS AND CONSTITUTIONAL CHANGES FOR ANNUAL COUNCIL**

---

#### **1 INTRODUCTION**

- 1.1 The report details the issues to consider and decide for recommendation to Council on 25 May 2017. An update paper will be published on 15 May when information from the political groups will have been received.

#### **2. RECOMMENDATIONS**

To recommend to Council:

- (i) The city council committees and the nominations to the joint and partner bodies (as current) in paragraph 3.2 and updated in a paper to be circulated on 15 May.
- (ii) The nominations for Chairs and Vice Chairs (as current) in paragraph 3.3 and updated in a paper to be circulated on 15 May.
- (iii) To re-appoint the Independent Person and Deputy Independent Person 2017/18 (see paragraph 3.4)

Committee is asked to:

- (iv) Review the changes agreed by Council to its Council Procedure Rules in February 2016 (paragraphs 4.1-4.3) and;
- (v) recommend to Council Constitutional changes proposed in paragraphs 4.4-4.9

### 3. BACKGROUND

#### Appointing Committees

- 3.1 The rules on political balance set out in the Local Government and Housing Act 1989 will be applied to both scrutiny and regulatory committee composition so that, once the size of committees has been determined, the division of seats among the political groups on the Council will be automatic and the Council must appoint those members which each political group puts forward for its seats.

In considering the allocation of committee places to political groups, the Council is legally required to take into account the following principles:

- i) That the controlling group should have a majority of seats on each committee.
- ii) That the total number of committee places allocated to each political group must be in proportion to the number of members of that group on the Council.
- iii) That on each committee the number of places allocated to each political group must be in proportion to the number of members of that group on the Council.

The order of precedence of these principles is the order in which they are given - i.e. (i) takes highest priority, then (ii) then (iii).

3.2 The existing city council committees and size are listed below. All Groups can appoint an Alternate for each committee. Unlike a substitute system, the city council's own committees use an Alternate Member where the councillor is a named member from a political group and preferably unchanged for the municipal year who will sit in for any committee member of the same political group who is unable to attend any meeting in the year that they are scheduled to attend.

3.3 The proportionality for both the Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee and Audit and Governance Committee will be advised after election results from 4 May.

<b>Community Services Scrutiny Committee</b>
--

Current Numbers- 8 ( 5 Labour + 2 Lib Dem+ 1 I/G)
---

<b>Development Plan Scrutiny Sub Committee</b>
--

Current Numbers- 6 (4 Labour + 2 Lib Dem)
---

**Environment Scrutiny Committee**

Current Numbers- 7 (5 Labour + 2 Lib Dem)

**Housing Scrutiny Committee**

Current Numbers- 8 ( 5 Labour + 2 Lib Dem +1 I/G)

**Strategy and Resources Scrutiny Committee**

Current Numbers- 6 (4 Labour+ 2 Lib Dem)

**Civic Affairs Committee**

Current Numbers- 6 ( 4 Labour +2 Lib Dem)

**Employment (Senior Officer) Committee**

Current Numbers- 6 (4 Labour +2 Lib Dem)

**Employment Appeals Sub-Committee**

Current Numbers- 7 (4 Labour +3 Lib Dem)

**Licensing Committee**

Current Numbers- 12 (8 Labour+ 4 Lib Dem)

**Planning Committee** (NB Council approves departure from proportionality here)

Current Numbers- 8 (4 Labour+ 3 Lib Dem + 1 I/G)

**Cambridge City Joint Area Committee (with County Council)**

Current Numbers- 6 ( 4 Labour +2 Lib Dem )

**Cambridgeshire and Peterborough Combined Authority**

Current Numbers- 1 (Cllr Herbert, Leader of the Council) + 1 substitute (Cllr Price)

**Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee**

Current Numbers- 1 Labour + 1 Lib Dem

**Cambridgeshire and Peterborough Audit and Governance Committee**

New – 1 + one substitute member

**Greater Cambridge City Deal Joint Assembly**

Current Numbers- 3 (2 Labour + 1 Lib Dem)

<b>Joint Development Control Committee - Cambridge Fringes</b>
--

Current Numbers- 6 (4 Labour+ 2 Lib Dem)
--

## Chairs and Vice Chairs

3.3 The Civic Affairs Committee is requested to make nominations for the Chairs and Vice Chairs for 2017/18. A paper listing the nominations will be circulated at the committee:

Strategy & Resources

Community Services

Environment

Housing (note - Chair is a Councillor, the Vice Chair is a tenant/leaseholder)

Civic Affairs

Employment Appeals Sub

Licensing

Planning

Joint Development Control Committee (spokesperson for the City)

3.4 Committee is also recommended to re-appoint Mr Sean Brady and Mr Rob Bennett as Independent Person and Deputy Independent Person respectively.

## 4. Constitutional issues

### **Council Procedure Rules – Review of changes made**

4.1 Council agreed on 23 February 2016 to make changes to Council Procedure Rules with regard to debating Motions. These were:

Length of speeches (Rule 21) - 10 minutes for mover and seconder and the same applies to mover and seconder of amendments. All other speakers get 3 minutes.

Debating motions and amendments (Rule 17.2) - these are debated at the same time. Only the Councillor with the right of reply and the mover of the original motion can speak more than once. A vote is taken on any amendment and then if required the Motion, without debate.

4.2 Council agreed on 23 February 2016 that the changes should be reviewed in spring 2017. There have been no procedural issues at Council

meetings since these changes were agreed and appear to have worked well.

4.3 The Mayor (Cllr Benstead) who has chaired Council for the majority of meetings since these changes were brought in and Groups Leaders have been asked for any comments and these will be reported at committee.

### **Council Procedure Rules – Proposals for changing rules regarding other speeches at Council**

4.4 Committee is asked to recommend to Council that the limit on speeches apply to 3 minutes on recommendations of the Executive and Committees, in addition to applying to Motions as there is now inconsistency between the two types of debate. If that is considered too restrictive, the Executive Councillor and spokes (or Chair and spokes) could have 5 minutes with 3 minutes for all other contributors.

4.5 The above proposal is mindful that there are occasions in the year where longer speeches on all sides of the Chamber are permitted either in existing rules (Annual Statement or Budget) or by prior arrangement by the Mayor in consultation with Group Leaders.

### **Extraordinary Council Meetings – Proposals for clarification**

4.6 There have been a number of extraordinary (single issue) Council meetings to do with the Combined Authority and the Local Plan in the last 18 months. Experience of the Mayor at these meetings has led officers to make the following observations for clarification:

- (i) Public questions should only be on the single item for consideration and must be submitted by 10am the day before the meeting. (Part 4B appendix 2 public speaking rights)
- (ii) The Mayor has discretion to extend the time a Member can speak for over the 5 minutes permitted for a right of reply (the most recent example being in response to the debate on the Combined Authority in November 2016).

### **County Councillors on Area Committees – Part 4EE (4.1) – Proposals for clarification**

4.7 County Councillors representing divisions in the city attend Area Committees which cover their Division. Following the implementation of new County Council Division boundaries the 12 County Councillors will represent parts of the city which cut across Area Committee boundaries. It

is proposed that County Councillors will be members of the Area Committee which contains all or the clear majority of the Division that they represent. County Councillors will be advised that they can attend other Area Committees if they choose and make contributions – but they won't be full members of more than one Area Committee.

4.8 The Constitution should be further clarified so it is clear that County Councillors can vote on all matters at Area Committees except for:

- those that require a decision to allocate city council funds
- the election of the Chair and Vice Chair.

### **Appointments to Outside Bodies – Proposal**

4.9 There have been some rare occasions where a change is required to which member is a Group nominee on an outside body after the annual appointments have been agreed in May. For example two changes in 2016/17 involved the Labour appointment to Cambridge Live and the Liberal Democrat appointment to the Junction. Both these required out of cycle decisions, which could be viewed as over bureaucratic as they were 'like for like'. In future, where the appointment is a straightforward swap (ie. Cllr X taking the place of Cllr Y from the same Group) it is proposed that the appointment is made by the Executive Councillor and the spokes is emailed for information. In circumstances where an Executive Councillor proposed a departure from what was previously agreed at annual appointments then the matter would be for out of cycle decision (or to the Scrutiny Committee if appropriate)

### **5. IMPLICATIONS**

Any financial, staffing, equality and poverty, environmental, procurement, consultation and communication and community safety implications on the proposals included in the report?

None

**BACKGROUND PAPERS:** No background papers were used in the preparation of this report.

The author and contact officer for queries on the report is Gary Clift 01223 457011 [gary.clift@cambridge.gov.uk](mailto:gary.clift@cambridge.gov.uk)

Date originated: 04 May 2017

Date of last revision: 04 May 2017

## Part 4A-COUNCIL PROCEDURE RULES

### 21. Length of speeches

Generally

21.1 No speech shall subject to the exceptions provided ~~in 21.2 or~~ elsewhere in Council Procedure Rules exceed 35 minutes length without the consent of the Council given by reason of the exceptional importance of the subject and which consent shall be ascertained by the Mayor either on his/her own initiative or on a motion made which shall be put without amendment or discussion. Provided that it shall be within the discretion of the Mayor to permit up to a further 3five minutes beyond the time so mentioned without the necessity for any such consent.

## PART 4B-ACCESS TO INFORMATION RULES-APPENDIX 2 PUBLIC SPEAKING RIGHTS

### Is there a requirement for advance notification of a wish to speak or ask a question?

If the question or statement concerns a matter which is on the agenda for the meeting in question, then the speaker or questioner should register their intention to speak with the Committee Manager before the start of the meeting.

If it concerns a matter which is not on the agenda, then notice of the question or of the subject matter must be given to the Committee Manager by 10.00 am on the working day preceding the meeting.

Extraordinary Council Meetings – public questions will only be taken on the single item of business for which the extraordinary meeting has been called and notice of questions must be received by 10am the day before the extraordinary meeting.

## Part 4EE-AREA COMMITTEE PROCEDURE RULES

### 4. Co-opted Members

- 4.1 Each area committee shall invite county councillors where the clear majority of a County Council Division is within for its the area to be ~~non-voting~~ co-opted members. County Councillors may vote on all matters except for any decision relating to city council funding and the election of the Chair and Vice-Chair. Area committees may appoint such other non-voting co-opted members as they choose. Co-opted members may be appointed either in respect of the whole work of the area committee, or in respect of specific aspects of that work.