

**MINI REVIEW OF GOVERNANCE PROCEDURES**

*To:* Council

*Date:* 16th February 2016

*From:* LGSS Director Law, Procurement and Governance

*Purpose:* To consider the recommendations of the Constitution and Ethics Committee following the mini review of Cambridgeshire County Council's governance procedures.

*Recommendation:* It is recommended that Full Council approve the amendments to the Council's Constitution, as recommended by the Constitution and Ethics Committee, as follows:-

- i) that the procedure for Oral Questions by Members at Full Council be removed, and
- ii) the limit on the number of written questions submitted to a Full Council meeting be removed.

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## **1. BACKGROUND**

- 1.1 Cambridgeshire County Council converted from a Leader Cabinet form of governance to a Committee System with effect from May 2014.
- 1.2 A review of the operation of the new governance system was conducted between November 2014 and January 2015. An electronic questionnaire was made available to all members and officers from late November to late December 2014, containing questions relating to specific aspects of the system and a section for general comments. The Constitution and Ethics Committee then held a workshop in January 2015 to consider the responses to the survey, and considered the results of the review at its meeting on 3rd March 2015.
- 1.3 On 24th March 2015, Full Council considered the Committee's recommendations for revisions to the Constitution and other proposals arising from the review.
- 1.4 As part of its decision on modifications to the governance system, Council agreed to the recommendation that it ask the Constitution and Ethics Committee to conduct a mini review in a year's time in order to consider whether to recommend any changes to the detailed governance procedures to Council.
- 1.5 The Constitution and Ethics Committee agreed that it would be appropriate to conduct the review by email. It was suggested that the email set out the changes made following the previous review, ask Members to say how they felt the changes had improved procedures, and invite Members to identify further matters that needed to be addressed. It was resolved unanimously that the mini review be conducted by inviting Members and the Corporate Leadership Team by email to identify any points of difficulty that they have experienced in operating the governance system since 24th March 2015.
- 1.6 All Members and Corporate Leadership Team were emailed on 2nd December 2015 with a request to respond by Friday 1st January 2016. A reminder was sent on 23rd December 2015.
- 1.7 13 responses were received to the mini review including a collective response from Economy, Transport and Environment.
- 1.8 A number of respondents thought the committee system was working well and that the change in committee size had been an improvement and a positive step. There was a view that the system had coped with a number of challenges over the year, and whilst there had been a need to review the way the system had worked under pressure, it was felt that it had coped relatively well. Respondents particularly welcomed the clarity around not taking 'for information' papers to committees.
- 1.9 The Committee considered the responses to the review in detail and the proposed action in response. There are no actions resulting from the mini review e-mail consultation which require a recommendation to Council to amend the Constitution. The Committee agreed one proposal, which does not require a change to the Constitution, to start all future meetings of Council at 1.30pm. except for Full Council meetings at which the Business Plan is to be considered in which case they will commence at 10.30a.m.

## **2.0 ORAL QUESTIONS AT COUNCIL**

- 2.1 Arising from the Chairmen/women/Spokes workshop held in August 2015, the

Member Development Panel agreed to feed into the mini-review a request for the Committee to consider whether there should continue to be an oral question time at Council meetings for questions addressed to Committee Chairmen/women.

- 2.2 Under the previous Cabinet system of governance, Cabinet members were each responsible for different areas of the Council's work, known as portfolios. Under the Committee system of governance, responsibility for the Council's work is shared amongst committees rather than given to individuals, and the Chairman/woman of a committee is responsible for the proper conduct of the meeting, rather than for the decisions made.
- 2.3 As part of the previous review of the governance system, 67% of respondents (37 people) said, when asked, that the Constitution and Ethics Committee should consider whether oral question time at Council should continue given the change to a committee system i.e. questions be directed to Spokes instead. At their workshop to consider the survey results, members of the Constitution and Ethics Committee were of the view that oral question time should continue in its present form, but highlighted the need for Members to bear in mind that the Committee Chairman/woman was not the Cabinet Portfolio Holder and could therefore not commit the Committee to actions without its agreement. It was important that Members used oral question time only after exhausting all avenues first.
- 2.4 In view of the request of the Member Development Panel, the Constitution and Ethics Committee was invited to consider whether there was still a place for oral questions from Members at Council, and if there was, who should be the recipients of the questions.
- 2.5 The Committee discussed the issue of oral question time in detail. Some Members were of the view that oral questions should be replaced with written questions, which would be published on the Council's website before the meeting of Council. It was felt that the current system had worked well under the old governance arrangements but was not appropriate for the new Committee System. On balance, the Committee agreed by a majority that oral questions at full Council should be removed and that the existing limit on the number of written questions should be removed.

### 3.0 CONSTITUTION CHANGES REQUIRED

- 3.1 The recommendation from the Constitution and Ethics Committee requires amendments to Part 4 – Rules of Procedure, Part 4.1 – Council Procedure Rules of the Council's Constitution. The proposed changes are set out in **Appendix A**, deleted text is shown struck through and new text underlined.

Source Documents	Location
Agenda and Minutes of County Council 24th March 2015	<a href="http://www2.cambridgeshire.gov.uk/CommitteeMinutes/Committees/Meeting.aspx?meetingID=925">http://www2.cambridgeshire.gov.uk/CommitteeMinutes/Committees/Meeting.aspx?meetingID=925</a>
Agenda and Minutes of Constitution and Ethics Committee 19th November 2015 & 4th February 2016	<a href="http://www2.cambridgeshire.gov.uk/CommitteeMinutes/Committees/Meeting.aspx?meetingID=1085">http://www2.cambridgeshire.gov.uk/CommitteeMinutes/Committees/Meeting.aspx?meetingID=1085</a> <a href="http://www2.cambridgeshire.gov.uk/CommitteeMinutes/Committees/Meeting.aspx?meetingID=1102">http://www2.cambridgeshire.gov.uk/CommitteeMinutes/Committees/Meeting.aspx?meetingID=1102</a>