

## **Appendix 3: Extract from "Role of Members and the Full Council", Report of the Co-ordinating O&S Committee, 05 April 2005**

### **6.2 The full Council meeting**

6.2.1 During our review we have considered how other authorities organise their full Council meetings. There is no doubt that Birmingham's full Council meeting contains many elements which would be considered nationally as good practice, such as question time; the regular inclusion of O&S reports; and the protocol through which priority motions for debates are shared between the political Groups.

6.2.2 Nevertheless, our judgement is that the full Council's role needs to be developed so that "full council becomes a key arena for local democracy". It is important for us to be clear here. Unfortunately we cannot propose changes which would reinstate the position before 2000, whereby the City Council itself was the ultimate decision-maker. Rather, we are convinced that, working within the current legal framework, arrangements can be made such that Members feel that by participating in full Council meetings they are making more significant contributions and the full Council is dealing with significant issues. This in turn must mean that full Council:

- encourages accountability;
- tackles issues which matter;
- uses a set of operating procedures which supports these ends.

6.2.3 It is also important that the public can clearly see that the full Council meeting is important in this way, too.

6.2.4 The Committee has some information on how other local authorities have responded to the changes brought about by the Local Government Act 2000.

6.2.5 We are therefore recommending a number of immediate enhancements to full Council's business.

6.2.6 The first strand is to increase accountability through the full Council meeting. A large element of this should consist of Cabinet Members accounting to the full Council for the way they exercise their extensive executive powers. Other Council post-holders, though, including the Chair of the Co-ordinating O&S Committee, should also be held accountable. Our recommended measures therefore include:

- (a) a programme of reports from each Cabinet Member in turn summarising recent decisions and achievements and highlighting major issues to be tackled over the coming months;
- (b) requiring regular reports from Lead Members on Joint Authorities, to strengthen the current position whereby Members *may* ask questions of them. This has already been the subject of a scrutiny recommendation;
- (c) possibly extending this to the work of the District Committees, not by asking each Committee to report to the Council, but by asking for a combined annual report; this might be formally presented at Council by

one of the District Committee Chairpersons appointed as, say, the Convenor of District Committee Chairs.

6.2.7 Amongst the Committee, and indeed the wider Membership of the City Council, there is interest in the accountability of Chief Officers. There is an argument that the managerial leaders of the organisation should also account for their actions to full Council. We have therefore carried out a check to see how the current constitutional requirement, whereby Chief Officers are required to report such matters regularly to the appropriate Cabinet Member, is working out in practice.

6.2.8 Our conclusions are that practice is variable and not as visible to the majority of Members as it should be. The aims must be to obtain more consistency across Directorates and to make the whole process much more transparent. On balance, though, the Committee is not in favour of asking Chief Officers to report on the exercise of their delegated functions to the full Council meeting. Such an approach would run the dangers of bureaucratising full Council and encouraging micro-management. Instead we are recommending that such reports are much more clearly labelled when they are posted on the ADMES system, so that all Members can confidently access them.

6.2.9 This view that officers should be more accountable extends, amongst some, to including postholders beyond the Council such as the Chief Constable or the Director General of the Passenger Transport Executive. The City Council has no powers to require this. As a first step, the Lead Members on the Joint Authorities should report to the full Council. It may be that they could be accompanied by the respective service chief officers, but that could only be by invitation.

6.2.10 It is important to us that Members feel that they can easily participate in full Council. The way the agendas are shaped at the moment, with relatively large amounts of time devoted to reports on specific subjects (whether from the Executive or from Overview and Scrutiny) may discourage this. So we have spent some time addressing this point.

6.2.11 The first suggestion was for a simple, short extension to oral question time so that, after all Members had had the opportunity to ask their priority question, there would be a chance for those who may wish to ask further questions. However the February Council meetings highlighted that this need not be an immediate priority.

6.2.12 What is urgent is to make sure that there is a system in place to follow up particular items from the full Council meetings and to demonstrate publicly that progress has been made. The first of these items relates to oral questions, when a Cabinet Member (or other postholder) does not have the necessary information at hand when asked the question and undertakes to answer the questioner after the meeting. The Lord Mayor himself picked up this issue at the 22 February Council meeting and asked the Chief Legal Officer to look into the possibility of the answer being also supplied to the Lord Mayor, as the Chair of the Council meeting. Whatever the mechanism, it is essential that there is a system in place to ensure that all such undertakings are fulfilled. More generally, an answer to an oral question may include an undertaking to carry out a particular course of action, such as to consider a suggestion, and these too require logging, following up and reporting back to the questioner.

6.2.13 The second issue is similar, but relates to petitions. The custom used to be to refer petitions to Chief Officers, who would bring a report to the relevant Committee. Now, if the petition refers to an executive function, the report is to be brought to the relevant Cabinet Member (unless it is a District or Ward Committee matter). If that report does not require an executive decision, it does not need to be

made public. Again there is a need for a transparent system so that progress on each petition can be logged, seen, and reported to all interested parties.

6.2.14 We went on to consider that many Members, both amongst our Committee and elsewhere within the City Council, miss the opportunity which was provided before 2000 by the monthly report of the General Purposes Committee to raise issues of immediate topical concern. We are recommending that this be reintroduced, and suggest that this can be done simply through the inclusion on every City Council meeting's agenda of a standard motion from the Council Business Management Committee such as:

*"That the City Council consider city-wide issues of the moment raised by individual Members and notified to the Lord Mayor by 10.00 a.m. of the day before this meeting of the City Council".*

6.2.15 Another simple suggestion is that, when a particularly important consultation paper is issued by central Government, the paper should be considered by the full Council meeting. This would allow the Executive to draft a response in the light of Members' views. Whilst this has some attractions, we considered that the best way of handling this would be for the Executive to use its discretion to bring such a paper if a suitable opportunity presented itself. We therefore have not pursued this further.

6.2.16 Our next suggestion picks up from practice elsewhere. Of all the innovations which other local authorities have introduced, the one which we consider most worthy of a trial here in Birmingham is the holding of an annual "State of the City" debate. Led by the Leader of the Council, this would be a wide-ranging debate covering not only City Council services but also issues affecting the city as a whole, such as the economy, crime and disorder, health, the profile of Birmingham in the region, nationally and internationally. This would allow Members a high-profile opportunity to voice the issues most of concern to their constituents and to provide leadership in suggesting ways forward. The debate would also be an early opportunity for the Council to identify issues which it would expect the Executive to consider in the forthcoming budget round.

6.2.17 To exemplify how the Committee's proposals for the full Council meeting could be put into practice, two draft programmes have been drawn up:

- (a) an annual programme of 10 Council meetings, including an extra meeting in September, showing which Cabinet Member, and other postholder, could report to each meeting;
- (b) a typical agenda, with timings, for a Council meeting. The extra items suggested inevitably require a longer meeting than the current 5 hours 30 minutes, increasing it to 5 hours 55 minutes, giving a standard finishing time, for a meeting with a full agenda, of 8.30 p.m.

6.2.18 These follow on the next two pages, and then our first set of recommendations can be found.

## Full Council Meeting – Possible Shape of Council Agenda

Item	Time Limits	Indicative Timetable
<b>A: Council business</b>		
Minutes, Lord Mayor's Announcements, Appointments	No limit	2 – 2.30 p.m.
<b>B: Petitions</b>		
<b>C: Holding to Account</b>		
Questions	Maintain limit at 30 minutes	2.30 – 3.00 p.m.
Cabinet Member report	Forty minutes	3.00 – 3.40 p.m.
Other post holder report	Half an hour	3.40 – 4.10 p.m.
<b>D: Decision Making</b>		
O&S reports	One and a quarter hours	4.10 – 5.25 p.m.
		Adjournment 5.25 – 6.00 p.m.
Reports from Executive, including Policy Framework Plans	One and a quarter hours	6.00 p.m. – 7.15 p.m.
<b>E: Member – led debates</b>		
Issues of the Day (raised on a standard motion from CBMC)	30 minutes	7.15 – 7.45 p.m.
Notices of Motion	Limited to ¾ hour unless specifically extended by the Council	7.45 – 8.30 p.m.

Note: the timetable shown here would apply when there are significant reports or motions under each heading. It can be anticipated, for example, that there would not always be Policy Framework Plans, nor several O&S reports at each and every Council meeting. In such circumstances, either more time could be devoted to other items (e.g. to accommodate the second Cabinet Member's report indicated for the December meeting) or the meeting could be shorter overall.

## Recommendations

Recommendation 01: That Council Business Management Committee propose to the Annual Council Meeting a programme of Council meetings throughout 2005/6 which enables:

- a) each Cabinet Member to report to the full Council once during the year on past achievements and future issues;
- b) similar reports to be made once during the year by the Chairpersons of the three Regulatory Committees, the Chairperson of the Co-ordinating O&S Committee, a lead District Committee Chairperson (on behalf of all) and the City Council's lead Members on the West Midlands Police Authority, the West Midlands Fire and Civil Defence Authority, and the West Midlands Passenger Transport Authority;
- c) the holding of a "State of the City" debate at the meeting at which the Leader of the Council presents his Report

Recommendation 02: That Council Business Management Committee propose to the Annual Council Meeting a new model agenda for the full City Council meeting to provide time for: a) the reports required by Recommendation R1; b) Members to be able to raise topical issues notified to the Lord Mayor in advance; along with any necessary adjustment to standing orders governing the length of the Council meeting.

Recommendation 03: That arrangements be put in place to ensure that undertakings made at full Council meetings: a) in answer to oral or written questions; b) following the receipt of petitions; are followed up and can be seen to have been discharged fully.