

# *The Full Council Meeting*

*~ A need for change ~*

A Report by the  
Corporate Issues & Partnerships  
Overview & Scrutiny Panel

July 2005



BATH & NORTH EAST SOMERSET

**This is a report of the  
Corporate Issues and Partnerships Overview & Scrutiny Panel**

Cllr. Martin Veal (Panel Chairman)

Cllr. Keith Kirwan

Cllr. Hattie Ajderian

Cllr. Gitte Dawson

Cllr. Tim Warren

Cllr. Gail Coleshill

Cllr. Marie Brewer



Dear Colleagues,

I joined the Council five years ago and, like many of us, did so out of a desire to make a positive difference in how my own community is governed.

One prestigious forum we are privileged to take part in is the bi-monthly meeting of the Full Council. Many members are of the opinion that improvements could be made to this meeting to make it more effective and engaging for those involved. The meeting can be long and frustrating even for the most dedicated Councillor and I believe it is time for change.

A Member-led review of the Council meeting has been conducted with an unprecedented 94% of Members contributing to the process. The Corporate Issues and Partnership Panel have spent the last six months getting to the bottom of Member frustration and better still, we feel we have come up with new and different components that will bring life and fulfilment back into the Chamber.

The results of our review are laid out in this report, which encompasses the Panel's findings and our recommendations for improvements.

I implore you all to view these positive recommendations as an essential part of the ongoing culture change within our Council. By modernising, both we and the public can view the Full Council Meeting as a vibrant platform to be eagerly anticipated, rather than one which is arduously expected!

Yours, in anticipation of change,

*Former Chairman of the Corporate Issues & Partnerships Overview & Scrutiny panel*

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## *Executive Summary of Recommendations*

This Executive Summary presents the Panel's recommendations as extracted from the body of the report.

### **3.1 The Need for Change**

The Panel's recommendations should be considered as a whole package. Whilst they are not impossible to implement individually, the Panel believe that as a whole they represent a comprehensive solution for the Full Council Meeting.

#### **Recommendations**

1. That Council accept the need for change and acknowledge that doing nothing is not an option - based on the strong body of evidence accompanying this review.
2. The Panel's recommendations should be considered together as a whole package, for maximum positive effect.

### **3.2 The Role of the Modern Council Meeting**

#### **Recommendations**

1. That the Council officially recognise and endorse its three key roles:
  - a. Considering and deciding on policy
  - b. Monitoring actions taken by the Executive on behalf of the Council, as well as their ongoing performance and
  - c. Demonstrating community leadership.
2. That Council actively seek to develop its role as community leader (*suggestions for this are included in section 3.6 Acting as Community Leader*).

### **3.3 Creating Capacity on the Agenda for innovation**

#### **Recommendations**

1. That Full Council receive for decision only those Policy and Budget framework items that the Government require it to, with the remaining being determined by the Executive
2. That any ten Members or the relevant O&S Panel be entitled to refer any of the discretionary plans to Council for decision.

### **3.4 Opportunity for More Active Policy Development**

#### **Recommendations**

1. That opportunities be created for the Council to be involved in policy development at earlier stages:
  - a. For key policy that is determined at Executive level - Council be given the opportunity to debate and to offer a general steer to the Executive before decision

- b. For all policy, that there be opportunity for Council to debate it at the developmental stage (wherever the final decision lies), the results of which may be fed into Overview & Scrutiny.
2. That Political Groups recognise that group voting may not always be appropriate on items where the Council is making a recommendation rather than a decision.  
(Issues concerning how these policies are chosen are picked up in section 3.8 Planning the agenda).

### **3.5 Monitoring Executive Activity**

#### **Recommendation**

1. That the Head of Democratic Services be asked to report to the Corporate Issues and Partnerships Panel through the Working Group (See Section 3.11 Next Steps) within three months, suggesting ways in which the Council could develop its role in monitoring
  - a. Executive activity on its behalf; and
  - b. the ongoing performance of the Executive.

#### **Recommendations - Member Questions & Statements**

2. That live supplementary questions during Member question time be abolished, with Member questions at Council being routinely answered only in writing.
3. However, that at each Full Council Meeting there should be provision for a small number of Member questions /statements designated for time-limited discussion; that these be determined by the Chairman drawing lots, on a 'first out of the hat - first to be discussed' basis
4. That the Chairman has discretion over how long be allowed for each discussion, with a maximum of 10 minutes for each, with the total time for Member questions and statements not exceeding 30 minutes.
5. That Members be encouraged to use other avenues to pose their questions, particularly the Executive Meetings and Overview & Scrutiny, where Panels have certain rights to call Executive Members to attend their meetings.
6. That Member submissions are moved to the end of the Council Agenda.

### **3.6 Acting as Community Leader**

#### **Recommendations**

1. That where capacity is created on its agenda Council introduce items that will demonstrate its role as community leader, like those listed below
2. That Council be more proactive in providing opportunities for partner bodies to deliver presentations and to deal with Members' questions.
3. That Council receive an update and debate progress on specific improvement priorities
4. That Council make provision for topical, local public issues to be debated
5. That Council debate regional and national issues on behalf of the community and deliver a strong message to the appropriate Government agency

6. That the Chairman and Vice-Chairman of Council be asked to manage and champion these community leadership items, particularly in the context of agenda planning (*also see section 3.8 Planning the Agenda*).

### **Recommendations - Public Submissions**

7. That following a public submission, there be an opportunity for a meaningful time-limited debate.
8. That Council use Overview and Scrutiny to enable more detailed consideration to be given to a matter raised in a public submission
9. That the member of the public be allowed to address Council from a more central position on the Dias, next to the Chairman.

## **3.7 Informal Sessions**

### **Recommendations**

1. That the Council meeting include an informal session after the start of the meeting and that the meeting start time is brought forward to 3:45pm to accommodate this. (full recommendations on restructuring the Council Day can be found in section 3.10)
2. That the Chairman and the Vice Chairman take a lead role in choosing suitable subjects for informal sessions. (The ongoing work planning of these sessions is covered in Section 3.8 Planning the Agenda.)
3. That informal sessions be Member-led and recorded by officers with a view to their outcomes being fed into the appropriate body and reported back to the Council.

## **3.8 Planning the Agenda and the Meeting**

### **Recommendations – Planning the Council Agenda**

1. That the Chairman and Vice Chairman of Council be involved in the pre-planning of the agenda, particularly in ensuring
  - a. space for community leadership items and
  - b. a balanced and engaging agenda (*see also section 3.9 below*)
2. That a draft Council agenda be made available to Political Groups well in advance of the normal lead in / despatch date for the agenda, in order to provide an opportunity for the wider membership to have some influence over the agenda.
3. That the Chief Executive, together with the Administration Leaders, the Chairman and the Vice Chairman of Council, devise an outline annual workplan for Council including:
  - a. Policy and Budget Framework Items for decision
  - b. Policy items for developmental debate
  - c. Community leadership Items
  - d. Content of informal sessions

*but allowing sufficient capacity for Member influence of each agenda through the process described above and acknowledging the impartiality of the Chairman or Vice Chairman at the meeting.*
4. That this annual workplan go out for consultation to the Members (or Groups)

## **Recommendations – Planning the Meeting**

5. That Council accept that pre-planning of the meeting is important and that the Chief Executive and the Administration Leaders continue to play a central role in this, together with the Chairman and/or Vice Chairman
6. That in this process consideration be given to whether group voting is appropriate on those items where the Council is making a recommendation rather than a decision
7. That the Council agenda include guide timings for each item
8. That Members be urged to enlist the support of Officers in the drafting of Member debating motions well in advance of the meeting
9. That Members be urged to issue all debating motions to the Chief Executive and other Political Groups by no later than 12 noon on Council Day.

## **3.9 The Culture of the meeting**

### **Recommendations - The Role of the Chairman**

1. That Political Groups make considered choices in nominating Members to be the Chairman and Vice-Chairman of the Council, in view of the critical nature of the role in the context of the Council meeting.
2. That as a matter of routine (though not in an election year) Council agrees the Chairman and Vice Chairman designate at the January Council meeting prior to the beginning of their term.
3. That the Chairman and Vice Chairman receive obligatory training prior to their term of office.
4. That the Chairman of the Council should have more power to
  - a. relax rules if debate is going well – e.g allow more time and more speakers
  - b. curtail debate if not constructive and quality poor as long as there is sufficient balance in contributions
  - c. waive some procedural rules and thus exercise wide discretion in the management of debates and discussions
5. That the Vice Chairman take a more active role in Council meetings, accepting responsibility for time management of agenda items, whilst the Chairman presides over the proceedings.

### **Recommendations - Member Conduct**

6. That there Members respect the role of the Chairman and Vice Chairman and that abide by the Chairman's ruling at all times
7. That Members respect the formality of the meeting and conduct themselves in an efficient, effective and courteous manner
8. That all-Member training sessions be held to cover the following subjects:
  - a. Effective debating
  - b. The role and working of Full Council(These could be undertaken as part of an informal session.)



## Recommendations - Agenda Papers

9. That Council commission a review of agenda paper style and content by the Head of Democratic Services.

### 3.10 The Council Day and Venue

#### Recommendations

1. That Council agree to introduce the Council Tea as an all Member event (rather than as refreshments served in group rooms)
2. That the length of the Council activity on Council day be extended and follow the following pattern
  - 3:45pm Start of formal proceedings (any urgent items taken here)
  - 4:00pm Adjournment for informal session
  - 5:00pm Break for Council Tea
  - 6:00pm Group Meetings
  - 6:30pm Formal part of Council meeting reconvenes
  - 10:00pm (latest) Close
3. That the Council Chamber continue to be the meeting venue but that new technology be explored for
  - a. Visual presentation and
  - b. Improved audio equipment,with a working trial of optional schemes before the end of the current Council year
4. That a radio microphone be available in the Chamber for the duration of the meeting to assist public speakers and other attendees.

### 3.11 Next Steps

#### Recommendations

1. That following the acceptance of these recommendations the Head of Democratic Services report back to the next meeting of Council with a full implementation plan including any resource implications
2. That the implementation plan contain provision avoiding the need to alter the Council Constitution to reflect agreed changes, until the next planned review of the Constitution
3. That a working group meeting six-monthly be set up to
  - a. Initially to assist in the development of the implementation plan
  - b. To review the implementation of the agreed recommendations after an appropriate period of operation; and
  - c. to work towards further improvement.

That this working group comprise the Steering Group for this review and that it report to the Corporate Issues and Partnerships Overview & Scrutiny Panel.



## 1. Background

Bath & North East Somerset's Full Council Meeting is the official assembly of all 65 Members of the Council. The Council Chamber in Bath's Guildhall provides the setting for the bi-monthly meeting that normally runs from 6:30pm until 10:00pm. The meeting is open to the public.

The Full Council Meeting has a number of statutory obligations and is conducted on more formal lines than some other meetings. The remit of Full Council, as set out in the Council's Constitution, is to decide a framework of policies<sup>1</sup> that govern how council services are to be provided. It is the Council Executive's responsibility to take decisions to ensure services are delivered within this framework. The Council is the parent body of the Regulatory Committees and the Overview and Scrutiny function.

The Full Council Meeting remains the only official occasion where by all 65 Members of the Council are congregated.



### Modernisation

In 2002 decision making in Bath & North East Somerset Council was modernised and a Council Executive and seven Overview & Scrutiny Panels were formed to replace most of the Council Committees.

The decision-making powers of most of the former committees were handed collectively and individually to nine Executive Councillors, with only the planning, access and licensing regulatory functions being retained at committee level. The Full Council also maintained decision-making powers over certain policies assigned to the Council's Policy and Budget Framework. Thus, the Council meeting became for some Councillors the only decision-making meeting in which they were involved.

Overview & Scrutiny Panels were set up to act as a check and balance to the Executive, to hold them to account and also to develop recommendations for improvements to Council policy, to aid

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<sup>1</sup> Known as the Policy & Budget Framework

the Executive in their work. Overview & Scrutiny is designed to facilitate a mechanism for wider Member and public engagement in the modernised decision-making process.

Since these fundamental changes in the way council decisions are taken, little has been done to review the role and working of the Full Council Meeting in spite of its historical significance to local democracy. This paradox is by no means unique to Bath & North East Somerset. There now exists a national perception that the Full Council Meeting also needs to modernise - not only to contribute to the new system more aptly but also to reinforce its prestige and importance in the Council diary.

Prior to this Overview & Scrutiny review there have been a number of piecemeal local initiatives taken to improve Council. For instance, the agenda layout has been revised to reflect different types of business; an Executive report has been introduced; and there have been changes to the way Member submissions are managed. This Council has always allowed public submissions at its meetings and is a leading authority in good practice in this regard.

## 2. Approach and Methodology

What was investigated	How it was investigated	Appendix
<p><b>Background knowledge</b></p> <p>The Panel wanted to know more about the operation of Full Council Meetings in Bath &amp; North East Somerset.</p>	<p>The Panel received a briefing from the Head of Democratic Services outlining</p> <ul style="list-style-type: none"> <li>• Council statutory and local functions</li> <li>• The organisation of meetings</li> <li>• Content and management</li> <li>• The culture of Full Council</li> <li>• Potential scope for change</li> </ul>	1
<p><b>Research</b></p> <p>Taking in a wider perspective, the Panel wanted to know what other authorities were doing to improve their Full Council Meetings</p> <p>They were keen to learn from examples of best practice and also find out what the national experts were saying to local authorities concerning modernising Full Council Meetings.</p>	<p>14 authorities in the Member Support Network responded to a question about how their Full Council Meeting operates and what they have done to improve it.</p>	2
	<p>The Panel undertook a visit to Kirklees Metropolitan Borough Council, an authority cited by IDEA as having modernised their Full Council Meetings successfully.</p>	3
	<p>The Panel Chairman attended a national seminar at the Institute of Local Government Studies entitled 'Modernising Full Council'.</p>	4



<p><b>Consultation phase 1</b></p> <p>Focusing on our own Full Council Meeting, the Panel knew it was essential to involve all other Members in the process of change. They wanted to know what the other Bath and North East Somerset Councillors thought about the Full Council Meeting.</p> <p>They were also interested to hear about the experiences of Members of the public at our Full Council meetings. How would they like to be treated and engaged?</p> <p>The Panel also looked at the Full Council Meeting from the Officer perspective.</p>	<p>The Panel initially instigated discussion with groups of Members about what they thought of Full Council Meetings. They did this via Overview &amp; Scrutiny Panels, at an informal Executive meeting and in informal discussions with other Members. The results of these discussions helped to form the framework for the remainder of the Panel's investigation.</p>	5
	<p>Armed with Members' initial opinions the Panel then designed and issued a detailed questionnaire to all Members of the Council achieving a 94% response rate.</p>	6
	<p>Specific discussion on the relationship between Overview &amp; Scrutiny and the Full Council was held during a meeting of all the O&amp;S Chairmen.</p>	7
	<p>The Panel also issued a separate questionnaire to members of the public. This was sent to local community organisations and distributed at all public meetings of the Council in the month of April. Additionally it was sent out to members of the press to gain their views. The Panel received 20 responses.</p>	8
	<p>The Panel Chairman also attended a Head of Service meeting to open a useful discussion on the subject of Full Council Meetings. This discussion was followed up by some more detailed emails from these officers.</p>	9



<p><b>Consultation Phase 2</b></p> <p>The Panel wanted to continue to involve other Councillors in the process of forming their recommendations for changes.</p> <p>Following on from hearing their opinions via the questionnaires the Panel wanted to work together with Members and hear their collective ideas for improvement.</p>	<p>At this stage the Panel hosted an interactive workshop for all Members of the Council to work together to form the details that would help shape the Panel's recommendations. 21 Members attended and contributed.</p>	10
	<p>The Panel also consulted with past Chairmen of Bath &amp; North East Somerset Council, including those who had already left the Council. They held a workshop specifically to explore the development of the role of the Chairman and Vice Chairman in managing the Full Council Meeting.</p>	11

### 3. Findings and Recommendations

#### 3.1 The Need for Change

##### The Local Perception

*Only 16% of members are fairly satisfied with Full Council Meetings, none are very satisfied.*

The overwhelming message for change that has been expressed to the Panel over the past six months has been consistently strong. The majority of Councillors do not look forward to Full Council nor do they get much satisfaction from the meetings.

In fact the meeting seems to have fallen into the same trap as the British weather; people get used to complaining, they always expect the worst and resign themselves to the fact that it will never improve! The following quote quite adequately represents the general feeling amongst the majority.

*Council should be our showcase and should engage both public and councillors. Instead most of us dread it and are dying to get out of the chamber!*

*Councillor questionnaire comment*

The message is loud and clear - if the overriding stigma attached to the meeting is negative for its participants, how then is it supposed to carry any integrity of presence or purpose with the wider community?

In their comments back to Panel, Members are not denying the meeting's powers or role in determining policy although there was some misunderstanding about what constituted "policy" and who could make it. Many are advocating the meeting's importance as a forum where Councillors and Political Groups can voice their political opinions and make a public stand on certain issues. But the Council meeting is lacking the life and the 'buzz' that should be present at a prestigious gathering of community representatives.

As an occasion that has traditionally served as the main public event of the Council diary, the Panel are concerned that the negative perception of these meetings does nothing to maintain or enhance the Council's wider reputation.

A programme of culture change is at present being implemented across the council.

##### The National Picture

Nationally the picture is similar. In their research the Panel have struggled to find examples of good practice. The main efforts for modernisation have been focused on introducing public speaking (something Bath & North East Somerset has included for years), hosting 'State of the Borough' debates or holding some kind of informal session. Most of the Local Authorities the Panel asked are keen to monitor what changes result from this review.

At a seminar run by INLOGOV<sup>2</sup> the moderator advocated that authorities should review their Full Council Meeting with a view to modernising and developing its role.

Pitched as the Cinderella of modernisation, Full Council is ripe for a 'makeover' or at least a series of well thought-out improvements that will tackle the undercurrents of disengagement and raise its profile. The Panel conclude that change is overdue and anticipate that the adoption of their recommendations will bring about a more enthusiastic attitude towards Full Council amongst its membership.

The Panel's recommendations should be considered as a whole package. Whilst they are not impossible to implement individually, the Panel believe that as a whole they represent a comprehensive solution for the Full Council Meeting.

*"Revolution is wrong, we need evolution."*

*Comment from member discussion*

<sup>2</sup> Institute of Local Government Studies

## Recommendation

1. That Council accept the need for change and acknowledge that doing nothing is not an option - based on the strong body of evidence accompanying this review.
2. The Panel's recommendations should be considered together as a whole package, for maximum positive effect.

### 3.2 The Role of the Modern Council Meeting

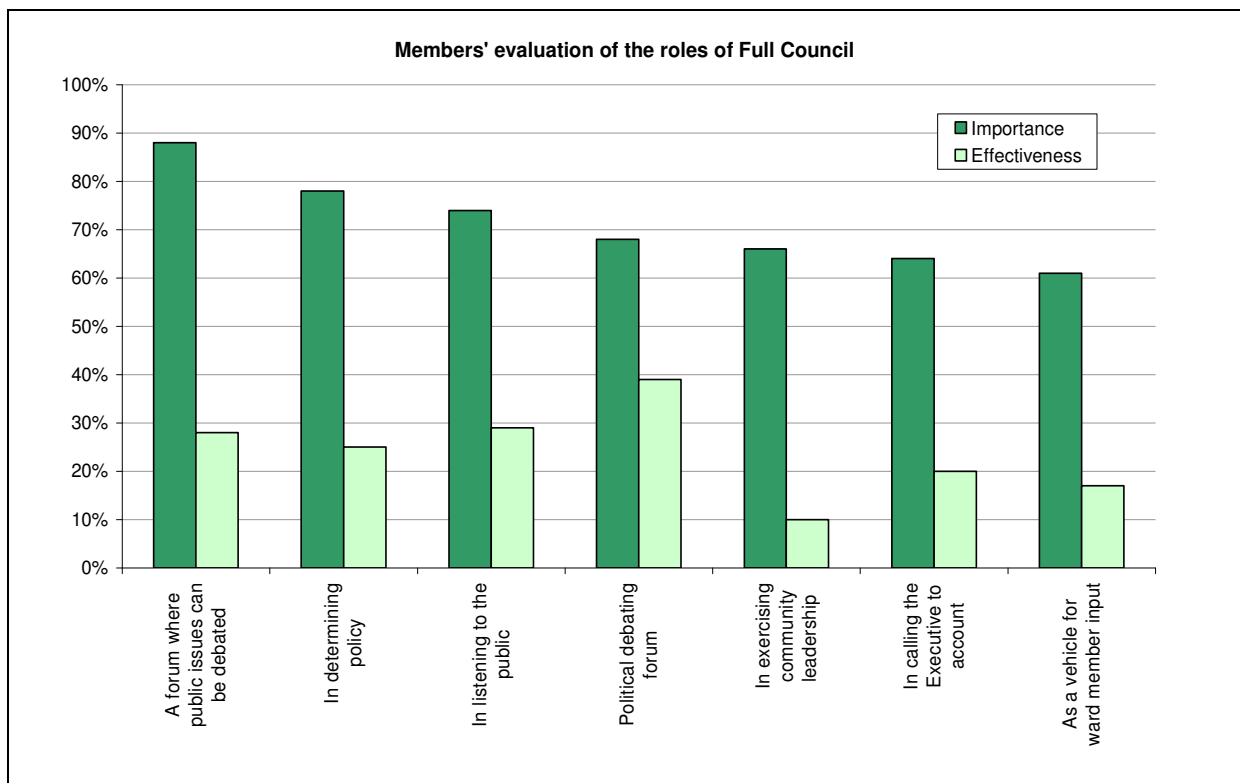
*"It has been too readily assumed that the Council Meeting must follow the pattern that has been inherited from the past, rather than considering what its role could be"*

*Local Government Association (LGA), June 2000<sup>3</sup>*

Written at the dawn of modernisation this LGA report goes on to urge Councils to prioritise three key roles in their reconsideration of the Council Meeting. These are:

- a. How the Council will consider and decide on the policies of the authority
- b. How the Council will hold the Executive to account (*i.e. how will it monitor what the Executive does on its behalf*)
- c. How the Council can play a part in supporting the role of the Authority in Community Leadership.

Throughout the review the Panel have encouraged Members to look beyond their experience and to look at the potential held within the walls of the chamber when all 65 Members are assembled. They have repeatedly asked the question – What is the Role of the Full Council in the community of Bath & North East Somerset?



Above, the Councillors' collective assessment of the roles of our Full Council Meeting encapsulates the need for increased effectiveness in Council's role in exercising

<sup>3</sup> A Role for all Members – The Council Meeting; The Local Government Association June 2000

**community leadership.** Community leadership encompasses all the roles of the Council and of its individual Members in debating public issues, listening to the public and acting as a vehicle for ward member input. This wide deviation between importance and performance is also seen when assessing the role of the Council in **calling the Executive to account** and in **determining policy**. The only role where the effectiveness of Council is seen in a more favourable light is when it acts as a political debating forum, though there is still clear room for improvement.

## Recommendations

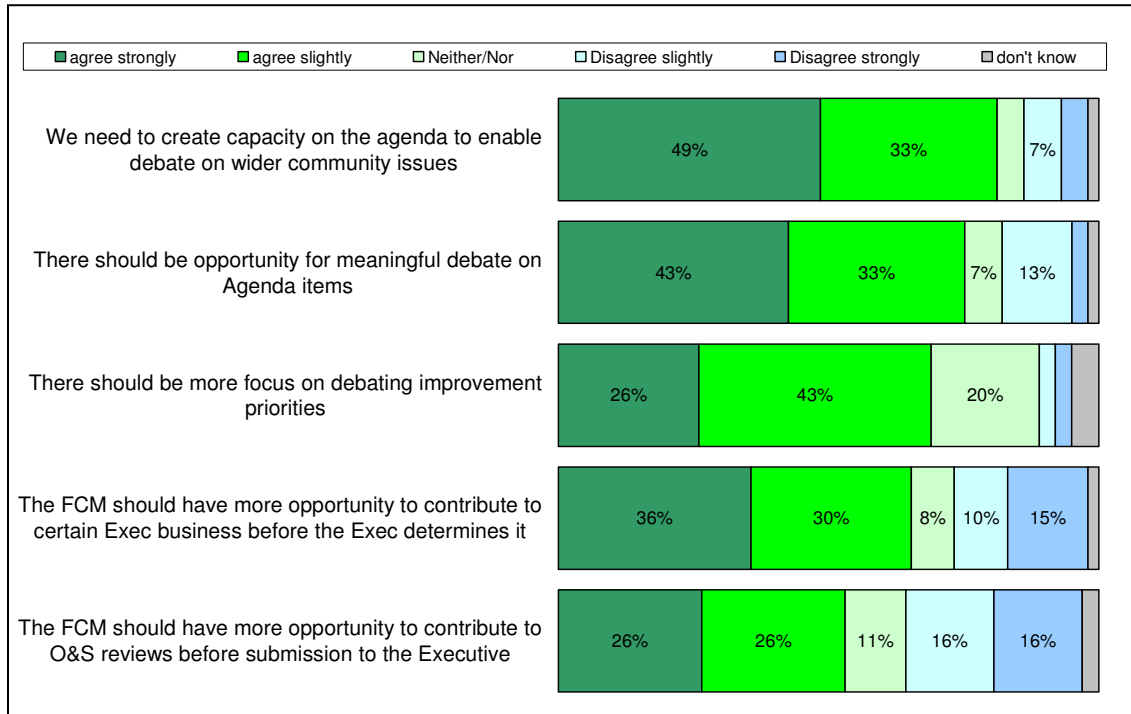
1. **That the Council officially recognise and endorse its three key roles:**
  - a. **Considering and deciding on policy**
  - b. **Monitoring actions taken by the Executive on behalf of the Council, as well as their ongoing performance and**
  - c. **Demonstrating community leadership.**
2. **That Council actively seek to develop its role as community leader (*suggestions for this are included in section 3.6 Acting as Community Leader*).**

### 3.3 Creating Capacity on the Agenda for innovation

#### Why we need to make room on the Council Agenda

82% of Members said they want to create capacity on the Agenda for debate of wider community issues.

Left as it is, there is little opportunity for the Council meeting to develop to become more engaging and relevant to all of its core purposes. The Panel has identified that, if the Council is going to change to embrace all aspects of its role, then capacity needs to be created on its agenda to make room for new, innovative items. The table below illustrates some of the evidence offered on this.





## How to Create Capacity

Throughout an average Council year it is estimated that around two thirds of Council 'debate' time is spent on Policy and Budget Framework items. These are the plans and strategies that must legally come to the Full Council together with those that the Council has itself determined should be submitted for approval. The remainder of Council time is divided mainly between Member motions and reports on council business.

A key opportunity for creating capacity on the agenda lies in reducing the number of these plans that need to come to council. Whilst this range of plans has provided Members with an opportunity to air issues concerning important subject areas, the reality is that these discussions are rarely spontaneous, usually follow the lead of the Executive recommendation and present a mere 'rubber stamping' of the plans.

Only 11 of the 26 plans that currently come to Council are required by legislation to be approved by the full Council. When asked what should happen to each of the 15 "local choice" policy items, the majority of Members felt that Council did not need to make the final decision. In ten of these cases there were more Members who thought that these plans shouldn't come to Council at all than those who thought they should be debated before being passed to the Executive.

At present, all Policy and Budget Framework Plans are submitted to Council on a recommendation from the Executive. Many will have also been considered in advance through the Overview and Scrutiny route.

Policy & Budget Framework items	
Required items	"Local choice" Items
<ul style="list-style-type: none"><li>- The Community Strategy</li><li>- Early Years Development Plan</li><li>- Education Development Plan</li><li>- Local Plan</li><li>- Structure Plan</li><li>- Children and Young People Services Plan</li><li>- Community Safety Strategy</li><li>- Youth Justice Plan</li><li>- Public Library Position Statement</li><li>- The Corporate Plan</li><li>- The Local Transport Plan</li></ul>	<ul style="list-style-type: none"><li>- Housing Strategy</li><li>- Sustainable Economic Development Framework</li><li>- Waste Strategy</li><li>- Consultation Strategy</li><li>- Long-term Office Accommodation Strategy</li><li>- Corporate Asset Management Plan</li><li>- Customer Care and Complaints Strategy</li><li>- Health Improvement Plan</li><li>- Cultural Strategy</li><li>- School Organisation Plan</li><li>- Quality Protects Management Action Plan</li><li>- LEA Asset Management Plan</li><li>- Corporate Equalities Strategy</li><li>- Electronic Government Strategy</li><li>- Adult Learning Framework</li></ul>

## Recommendations

1. **That Full Council receive for decision only those Policy and Budget framework items that the Government require it to, with the remaining being determined by the Executive**
2. **That any ten Members or the relevant O&S Panel be entitled to refer any of the discretionary plans to Council for decision.**

### 3.4 Opportunity for More Active Policy Development

Traditionally the Council has been the final stop for policy papers making their way through the various mechanisms of Member approval. The current system takes a Policy and Budget Framework item through Overview & Scrutiny, on to the Executive and then to Full Council for final decision.

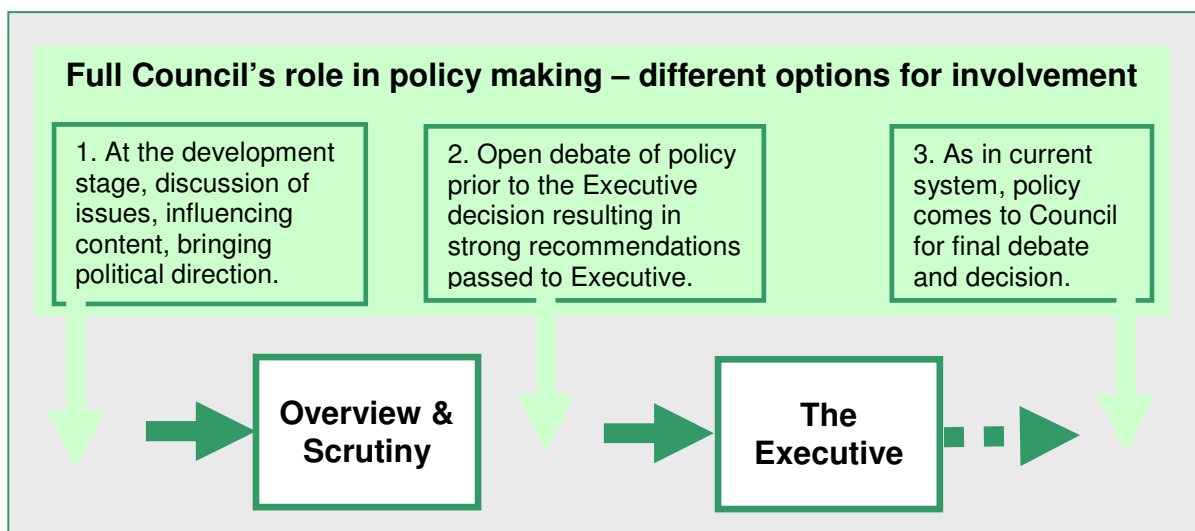
Members have expressed a desire to be more involved in policy making, particularly in order to have an input prior to the final polished version coming to Council. A good opportunity for an individual Member to have input in policy development is via the Overview & Scrutiny panels, and Members should be encouraged to get involved at this stage with those policies that interest them.

In determining important policy at Council the political groups may apply a party line with group voting, and this is normal and must not be negated. Yet the Panel have heard many Members bemoan the fact that many policy debates are predetermined and Full Council rarely affords Members the pleasure of an open debate with an unknown outcome.

*“It scares me to think no matter how much we debate or feel strongly about issues or policies raised at Full Council Meetings, the decisions on their outcomes were chosen well before the meeting and largely down to party policies”*

*Questionnaire respondent*

The answer could lie in introducing different ways of looking at policy. The Panel sees three different stages at which Full Council might have an input into policy development, as illustrated below: these would be alternatives, not additions.



*“We've lost the power of deliberation without the pressure of final decision”*

INLOGOV Seminar

Kirklees Metropolitan Borough Council is in fact developing a system by which Council can influence policy at various stages of development, using informal breakout sessions for the early development stage. A similar system was presented at an INLOGOV seminar called 'Modernising Full Council'. These systems advocate that by influencing policy earlier Members acting as the Full Council could bring strong steers to those who are developing the policy. Also, for those items that are determined by the Executive the Council could make strong recommendations to those who hold the final decision.

Looking at policy at different stages of development allows for greater engagement and awareness of local policies amongst Councillors and also encourages wider, more engaging debate as the pressure of a final decision is removed.

## Recommendations

1. That opportunities be created for the Council to be involved in policy development at earlier stages:
  - a. For key policy that is determined at Executive level - Council be given the opportunity to debate and to offer a general steer to the Executive before decision
  - b. For all policy, that there be opportunity for Council to debate it at the developmental stage (wherever the final decision lies), the results of which may be fed into Overview & Scrutiny.
2. That Political Groups recognise that group voting may not always be appropriate on items where the Council is making a recommendation rather than a decision.

(Issues concerning how these policies are chosen are picked up in section 3.8 Planning the agenda).

### 3.5 Monitoring Executive Activity

Currently the Council monitors Executive activity through Member submissions and the Leader's Report. In 'A Role for all Members – the Council Meeting' the LGA advocates that the Council meeting is the main setting for holding the Executive to account. Although much of this responsibility is devolved through the Overview & Scrutiny process, the Panel believe there are unexplored avenues for this role of Council.

#### Recommendation

1. That the Head of Democratic Services be asked to report to the Corporate Issues and Partnerships Panel through the Working Group (See Section 3.11 Next Steps) within three months, suggesting ways in which the Council could develop its role in monitoring
  - a. Executive activity on its behalf; and
  - b. the ongoing performance of the Executive.

#### Member Questions and Statements

Member submissions serve two main purposes:

- a. They can be an important element for non-Executive Members to hold the Executive Members to account through public challenge or probing
- b. They can also be an effective tool for local councillors to raise ward issues in the high-profile arena that is the Full Council.

By Member submission we mean petitions, statements and, most commonly, questions. Traditionally most submissions require some form of Executive consideration or action.

63% of Members felt that too much time was spent on Member submissions. What is more, the Panel's consultation has highlighted that Member question time is one of the greatest sources of frustration amongst Councillors. The Panel believe that the time spent on Member submissions needs to be more efficient and interesting.

Members want the opportunity to engage their colleagues and the Executive in matters that are important to them with 51% saying there should be an opportunity to debate Member submissions at Full Council. In consequence there needs to be a more effective way to deal with question time so that where appropriate, wider engagement can take place.

*"Don't bar Members from speaking to Full Council, but O&S might be the place for Councillors to get some real responses."*

Questionnaire comment

The Panel recognise that it would be neither practical nor appropriate to apply this to all submissions at all meetings. A mechanism needs to be found to select those submissions that are to be debated, ensuring the time spent on them is limited yet satisfactory.

On balance, the Panel also consider that Member submissions could occur at a different point on the agenda. Unlike public submissions, it is not necessary for these to be taken at the start of the meeting, given that Members are expected to remain in attendance throughout the meeting. 47% of Members believed that Member submissions should come at the end of the agenda, though 39% disagreed.

When considering the Council meeting as a whole, the Panel conclude that the optimum time at Council should be used for the most important business. Member questions, though of individual importance to the Members, do not warrant the same level of consideration as policy items or community interest items.

### **Recommendations - Member Questions & Statements**

- 2. That live supplementary questions during Member question time be abolished, with Member questions at Council being routinely answered only in writing.**
- 3. However, that at each Full Council Meeting there should be provision for a small number of Member questions /statements designated for time-limited discussion; that these be determined by the Chairman drawing lots, on a 'first out of the hat - first to be discussed' basis**
- 4. That the Chairman has discretion over how long be allowed for each discussion, with a maximum of 10 minutes for each, with the total time for Member questions and statements not exceeding 30 minutes.**
- 5. That Members be encouraged to use other avenues to pose their questions, particularly the Executive Meetings and Overview & Scrutiny, where Panels have certain rights to call Executive Members to attend their meetings.**
- 6. That Member submissions are moved to the end of the Council Agenda.**

### **3.6 Acting as Community Leader**

As soon as a Councillor is elected they step into the role of a community leader. Not only is this role demonstrable in the context of their local ward but it takes on a new, more strategic dimension when played out by the whole Council as a corporate body. Bath & North East Somerset Council by its very nature is acting in its role as community leader, both at street level and also at strategic level in leading on the Local Strategic Partnership and the Community Strategy. The Full Council Meeting, as the gathering of community representatives, is arguably the most important public face for this role within the Local Authority, and should therefore demonstrate this leadership effectively and inclusively.

The next Comprehensive Performance Assessment (CPA) is likely to be looking for evidence to show how well Councils lead their communities. According to the Improvement and Development Agency (IDeA) there are seven characteristics of effective Community Leadership.

#### **Characteristics of effective community leadership - IDeA**

- Listening to and involving local communities
- Building vision and direction
- Making things happen
- Standing up for communities
- Empowering local communities
- Accountability to communities
- Using community resources effectively.

During the Panel's visit to observe Kirklees Metropolitan Borough's Council Meeting, they were able to take part in an informal session where Members discussed together what it meant to be a community leader. The following is an extract from their briefing note:

*Councils are increasingly seen as the focal points within their locality, developing a vision and helping to bring together a range of partners to achieve it. The focus of the CPA assessment will move from the Council as an organisation to the locality and the impact we have on it. It will look at how Councils champion the needs of their area and differing communities within it and the overall strategic vision.*

88% said that Full Council Meeting should be a forum where public issues are debated

By creating capacity on its agenda the Council meeting can afford to add different items onto the agenda to encourage and demonstrate the Council's role as community leader. These need to be items that listen to and act on behalf of local people whilst building vision and direction within the local community.

Below is a simple diagram that represents the Council's sphere of community leadership.



Receiving issue-based items on the agenda also creates opportunity for more flavoured discussion and more engaging debate, where the outcome is unknown, and Members do not necessarily feel constrained in how they exercise their judgement or vote. The opportunity for meaningful debate is clearly a valued and important one to Members and can often be taken as a measure of the success of the meeting.

The Panel are clear that the objective of community leadership items will be to provide a steer to an outside body or to demonstrate accountability and direction to the community on issues the Council is responsible for delivering. It is hoped that these items will bring the life and 'buzz' back into the Full Council Meeting through connecting with the community, and fostering lively discussion on community interest matters.

## Recommendations

1. That where capacity is created on its agenda Council introduce items that will demonstrate its role as community leader, like those listed below
2. That Council be more proactive in providing opportunities for partner bodies to deliver presentations and to deal with Members' questions.

3. **That Council receive an update and debate progress on specific improvement priorities**
4. **That Council make provision for topical, local public issues to be debated**
5. **That Council debate regional and national issues on behalf of the community and deliver a strong message to the appropriate Government agency**
6. **That the Chairman and Vice-Chairman of Council be asked to manage and champion these community leadership items, particularly in the context of agenda planning (also see section 3.8 Planning the Agenda).**

*“It would be of some comfort ...if individual Councillors were able to comment in support of the matter raised”*

Member of the Public

### **Public Submissions**

Listening to members of the public at Council meetings is a grassroots demonstration of community leadership.

Members of the public who answered the Panel’s questionnaire were generally positive about their experience of a Full Council Meeting. They are greeted and given advice on the process of the meeting. There is also a tracking process in place to ensure that Executive Members respond within a reasonable period.

Nevertheless the public questionnaire did indicate a need to improve the way that public submissions are dealt with. At present they are received and often referred for an Executive Member to consider or are merely noted. 64% of Members felt there should be an opportunity to discuss public submissions at the meeting.

Also the public normally address the meeting from the edge of the dais. The Panel felt that making them more central would show greater respect.

### **Recommendation - Public Submissions**

7. **That following a public submission, there be an opportunity for a meaningful time-limited debate.**
8. **That Council use Overview and Scrutiny to enable more detailed consideration to be given to a matter raised in a public submission**
9. **That the member of the public be allowed to address Council from a more central position on the Dias, next to the Chairman.**

## **3.7 Informal Sessions**

Following on from the introduction of community leadership items there is an argument advocating that the Council’s approach to new items need not necessarily follow traditional lines. The Panel believe that informal sessions do not take away from the ceremony and importance of Full Council but provide an alternative avenue for the assembly of Members to use their time together. This time could be used to achieve outputs that the formal meeting is not designed to deliver.

Informal sessions would allow for robust discussions, facilitated idea sharing, all-Member briefings and training opportunities. They would pave the way for more inclusive and productive working amongst Members as the leaders of the community. Additionally, they can provide a forum for facilitated discussion at policy development level where Members could work together to shape ideas on how the Council should address particular issues.



The definition of an informal session is a time during which the procedural rules governing the meeting are waived, the session is minuted but not formally, and there is greater flexibility in how the time is managed and organised. Informal sessions would be Member-led and conducted in politically balanced breakout groups or as a whole group of Members. It is suggested that such sessions occur as an adjournment of the formal Council meeting. Most informal sessions would be open to the public to observe.

In the questionnaire results Members were divided as to whether they thought the Council Meeting should include informal sessions. Nonetheless, in considering the evidence of their investigation as a whole, the Panel are convinced that informal sessions go some way to providing a solution to the dissatisfaction Members are feeling with Council meetings. The body of evidence in the report so far has gone a long way in supporting their cause.

Members spent time focusing on this at the workshop hosted by the Panel looking at the advantages and disadvantages of holding such sessions. Most groups found the advantages outweighed the disadvantages and discussed ways to overcome the problems of informal sessions. Suggestions included ensuring that the sessions were properly planned and managed, that as far as possible they were non-political and that there should be a clear linking of the outcomes of the sessions with regular Council business.

The Panel agree that, depending on the item, there should be a mechanism by which outputs of informal sessions are reported back to the formal meeting of Council and referred on to the appropriate Executive Member, O&S Panel, service area or external body.

When the Panel consulted with Heads of Service a strong message came across. Full Council could be used as a place where all Members are briefed together on important developments in large or cross-cutting Council projects. Currently it is difficult to get a time where a majority of Members can attend.

### **Kirklees Metropolitan Borough Council - Informal Sessions**

The Panel witnessed a successful and engaging informal session at Kirklees Metropolitan Borough Council. What Kirklees have accomplished in modernising their Full Council Meeting has been cited as demonstrating best practice by the Improvement & Development Agency (IDeA).

The Formal Council meeting was convened and then adjourned for informal sessions to take place. Members were divided into four groups and effective Member-led discussions were held on what it meant to be community leaders both at ward level and Council level.

The session was interactive and enjoyed a high level of attendance and participation from Councillors who were enthusiastic about the new ways of working together.

Informal session outputs were reported back to Council and in some cases topics were opened up for optional, more detailed discussion in an alternative setting.

## **Recommendations**

- 1. That the Council meeting include an informal session after the start of the meeting and that the meeting start time is brought forward to 3:45pm to accommodate this. (full recommendations on restructuring the Council Day can be found in section 3.10)**
- 2. That the Chairman and the Vice Chairman take a lead role in choosing suitable subjects for informal sessions. (The ongoing work planning of these sessions is covered in Section 3.8 Planning the Agenda.)**

3. **That informal sessions be Member-led and recorded by officers with a view to their outcomes being fed into the appropriate body and reported back to the Council.**

### **3.8 Planning the Agenda and the Meeting**

If the scope of the content of Full Council Meetings is set to expand, the Panel see the need for agenda planning to be improved to help manage the developing agenda content of the Council. They believe that there is an important role for the Chairman in facilitating this agenda planning and contributing to the pre-planning of the meeting.

#### **The Current System of Planning the Council Agenda**

The content of the agenda is currently largely governed by Policy and Budget Framework items which come with a recommendation from the Executive. The Executive Forward Plan indicates which policies will come to the next Council Meeting. This system does not necessarily facilitate any long term planning of the Council agenda, and there exists no forward work plan for all Full Council business. This leads to some very long agendas.

Agenda planning needs to be revised to make provision for more innovative ways of dealing with business and a more issue-based agenda. There needs to be provision for the wider Council membership to be more involved in shaping future Council agendas. Members want to be able to contribute at an earlier stage. If this were facilitated through Group meetings it might also serve to re-invigorate Political Group attendance.

#### **Recommendations – Planning the Council Agenda**

1. **That the Chairman and Vice Chairman of Council be involved in the pre-planning of the agenda, particularly in ensuring**
  - a. **space for community leadership items and**
  - b. **a balanced and engaging agenda (*see also section 3.9 below*)**
2. **That a draft Council agenda be made available to Political Groups well in advance of the normal lead in / despatch date for the agenda, in order to provide an opportunity for the wider membership to have some influence over the agenda.**
3. **That the Chief Executive, together with the Administration Leaders, the Chairman and the Vice Chairman of Council, devise an outline annual workplan for Council including:**
  - a. **Policy and Budget Framework Items for decision**
  - b. **Policy items for developmental debate**
  - c. **Community leadership Items**
  - d. **Content of informal sessions**

***but allowing sufficient capacity for Member influence of each agenda through the process described above and acknowledging the impartiality of the Chairman or Vice Chairman at the meeting.***
4. **That this annual workplan go out for consultation to the Members (or Groups)**

#### **The Current System for Planning the Meeting**

The Chief Executive and the Leaders of the Political Groups forming the current Administration are responsible for pre-planning the Council meeting. On the morning of Council, they discuss how each item on the agenda is likely to be dealt with. This is a time



of negotiation between the Political Groups. The Chairman of the Council is presently not involved in these discussions.

A yellow briefing sheet is produced for the Chairman and all Councillors that acts as a prompt for the meeting, setting out how each item will be handled, though clearly not prescribing outcomes.

Case law has created a robust framework of roles for the Chairman of a meeting. These include a responsibility for the Chairman to have a clear understanding of the objectives of the meeting and consequently what likely outcomes might be aimed for. This would suggest that the Chairman should be involved in the pre-planning of the meeting and should have an opportunity to influence discussions about how the agenda business should be dealt with.

The questionnaire results suggest that Members feel that this is an important process with 83% agreeing that pre-planning facilitates the efficient conduct of the Full Council Meeting and 80% saying it helps in Group discussion beforehand.

In the light of strong evidence in favour of more open ended debates at Council, the Panel believe that these pre-meetings need to identify those agenda items which can allow for such debate - – particularly in light of the new types of items potentially coming onto the agenda.

75% of Members said that there should be a more structured agenda with estimated timings for each item; this should also form part of the pre-meeting planning.

### **Member Motions**

67% of Members say that Group motions should be made before a cut-off point on the day of the Council Meeting. This would aid the officers who need to verify the legality and accuracy of the content of these motions and enable the other Political Groups to establish their position on the matter.

Drafting of motions also needs to improve to avoid confusion that can lead to delays during the Meeting while clarity is sought or advice given. Without stepping into Political Group sensitivities, the Panel believe officers can and should offer direct advance help to Members in the drafting of motions. This will ensure that proposals have the best chance of being understood in the context of the core issue to be debated.

### **Recommendations – Planning the Meeting**

- 5. That Council accept that pre-planning of the meeting is important and that the Chief Executive and the Administration Leaders continue to play a central role in this, together with the Chairman and/or Vice Chairman**
- 6. That in this process consideration be given to whether group voting is appropriate on those items where the Council is making a recommendation rather than a decision**
- 7. That the Council agenda include guide timings for each item**
- 8. That Members be urged to enlist the support of Officers in the drafting of Member debating motions well in advance of the meeting**
- 9. That Members be urged to issue all debating motions to the Chief Executive and other Political Groups by no later than 12 noon on Council Day.**

### The Role of the Chairman and Vice Chairman

The role of the Chairman of the Council is the most influential at Full Council Meetings and the incumbent has a significant part to play in its success. Responsibility lies with Political Groups in making appropriate nominations to the offices of Chairman and Vice Chairman.

An overwhelming 97% of Members agreed that the Chairman should receive obligatory training to empower them to manage the meeting effectively. In order to deliver this training in good time the Panel believe that notice needs to be given of the Chairman and Vice Chairman appointments well in advance of their term in office.

The Council is a high-profile, large assembly that has many procedural rules governing its business and the management of the debating process. 70% of Members agreed that the Council Meeting is constrained by these procedural rules. Occasionally important debating points are crowded out, and the position of those who offer alternative views is lost, because insufficient time was allowed for points to be aired.

A competent, trained Chairman should have the authority to facilitate the meeting by exercising a high level of discretion in managing debate/discussion. 59% agreed that the Chairman should have the freedom to conduct the meeting as (s)he feels appropriate.

There is also room to develop the role of the Vice Chairman particularly in managing the timing of agenda items and monitoring speakers.

### Recommendations - The Role of the Chairman

1. **That Political Groups make considered choices in nominating Members to be the Chairman and Vice-Chairman of the Council, in view of the critical nature of the role in the context of the Council meeting.**
2. **That as a matter of routine (though not in an election year) Council agrees the Chairman and Vice Chairman designate at the January Council meeting prior to the beginning of their term.**
3. **That the Chairman and Vice Chairman receive obligatory training prior to their term of office.**
4. **That the Chairman of the Council should have more power to**
  - a. **relax rules if debate is going well – e.g allow more time and more speakers**
  - b. **curtail debate if not constructive and quality poor as long as there is sufficient balance in contributions**
  - c. **waive some procedural rules and thus exercise wide discretion in the management of debates and discussions**
5. **That the Vice Chairman take a more active role in Council meetings, accepting responsibility for time management of agenda items, whilst the Chairman presides over the proceedings.**

### Member Conduct

At the beginning of this report the Panel expressed concern about the effect a poor perception of the Full Council Meeting could have on the reputation of the Council as a whole. This concern was echoed by informal discussions with Members and past Chairs.

The conduct of Members at Council meetings speaks volumes to the outside world, who are constantly judging whether the Council will manage the local area effectively and professionally. People will only follow those they respect. There is little doubt that the

manner of dress, Members' comportment while seated in the Chamber, and the amount of movement around the Chamber during debates all contribute to the perceptions of the people who attend Council meetings.

It is anticipated that the changes suggested in this report will go some way to improving the quality and atmosphere of Full Council. More opportunity for meaningful debate and more engaging content should overcome some Councillor frustration. Also, the provision of a Council Tea will contribute to sustained concentration levels during the meeting.

The enhanced role of the Chairman together with a timed agenda should also facilitate a more efficient meeting.

Nevertheless, each individual Member is responsible for conducting themselves in an appropriate manner that adequately reflects their position in the local community. This responsibility is more pronounced when that Councillor is 'on show' at a Full Council Meeting.

Not only do Members lead their communities they also set an example for officers in the Council who are consistently encouraged to demonstrate the Council's culture principles of being efficient, effective and courteous at all times.

### Recommendations - Member Conduct

6. **That there Members respect the role of the Chairman and Vice Chairman and that abide by the Chairman's ruling at all times**
7. **That Members respect the formality of the meeting and conduct themselves in an efficient, effective and courteous manner**
8. **That all-Member training sessions be held to cover the following subjects:**
  - a. **Effective debating**
  - b. **The role and working of Full Council**

**(These could be undertaken as part of an informal session.)**

*"Massive paper work needs to be put into better English and condensed."*

Questionnaire respondent

### Agenda Papers

There is evidence to suggest that some Councillors and members of the public find the agenda papers for a Council Meeting frustrating and unclear. The Panel believe that work needs to be done to improve the readability of papers both for the Members and for the public. This is true of individual reporting style as well as agenda content, structure and design.

An overwhelming 90% of Councillors say that there should be an executive summary before each item, with 83% finding agenda papers not user-friendly.

### Recommendations - Agenda Papers

9. **That Council commission a review of agenda paper style and content by the Head of Democratic Services.**

## 3.10 The Council Day and Venue

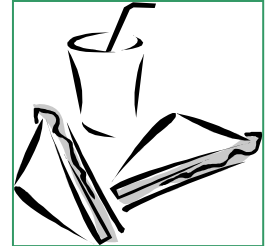
The Panel have explored the possibility of organising the Council Day in a different way in order to make more effective use of the time available. In a workshop hosted by the Panel, Members were asked to design their ideal Council Day and Meeting. The outcome of most

groups was to bring the start of Council proceedings forward to accommodate new ways of working.

If all Councillors booked out more time in their diaries at the beginning of a Council Session then more could be achieved in the typical Council Day. The Panel are advocating that the Council Day be seen by Members as a whole package rather than as just a formal evening meeting. This package could be made up of an informal session, a Council Tea, Group meetings and the formal Council Meeting.

### **A Council Tea**

The Panel is persuaded that an important factor in the Council Day should be to maintain interest stamina and concentration by providing timely refreshments. A Council Tea as an event would enable all councillors to meet informally before the start of the formal meeting. It could be an important contributor in continuing to foster good relationships between Councillors and offers an informal opportunity for networking and catching up on business with colleagues.



From the Panel's consultation with Members it is obvious that most Members would support this notion.

The average cost of providing eight Council Teas in a year would be approximately £4800.

### **Venue**

67% of Members believe that all Full Council Meetings should be held in the Chamber in the Guildhall. The Panel agree that in terms of location and design it is the most appropriate venue within Bath & North East Somerset, in spite of its physical shortcomings.

Many Members are dissatisfied with the comfort of the seats and the impracticality of the tables. There is frequent criticism of the audibility of speakers and the alleged inadequacies of the microphone system.

Nevertheless, it is a prestigious room purposefully designed for a full assembly of elected Members. It originally housed the 48-Member Bath City Council but is less suited to the 65-Member current Council. Until a superior alternative is found, Council should make what improvements it can to facilitate a productive meeting environment within the heritage limitations of the room.

### **Recommendation**

- 1. That Council agree to introduce the Council Tea as an all Member event (rather than as refreshments served in group rooms)**
- 2. That the length of the Council activity on Council day be extended and follow the following pattern**
  - 3:45pm Start of formal proceedings (any urgent items taken here)**
  - 4:00pm Adjournment for informal session**
  - 5:00pm Break for Council Tea**
  - 6:00pm Group Meetings**
  - 6:30pm Formal part of Council meeting reconvenes**
  - 10:00pm (latest) Close**

3. **That the Council Chamber continue to be the meeting venue but that new technology be explored for**
  - a. **Visual presentation and**
  - b. **Improved audio equipment,****with a working trial of optional schemes before the end of the current Council year**
4. **That a radio microphone be available in the Chamber for the duration of the meeting to assist public speakers and other attendees.**

### **3.11 Next Steps**

The Council's consideration of this report is the starting point for change. Assuming these recommendations are accepted, the Panel believes that a further paper needs to outline the practical measures and decisions that must be taken to give effect to these changes. When the Council has that implementation plan, it will be in a better position to determine the timescale for change.

The Panel hope that these changes can be delivered within a framework that avoids the need for constant updating of the Constitution and that the implementation plan will outline ways of achieving this. The Plan should be produced by the Head of Democratic Services in consultation with a small subgroup of this Panel.

#### **Recommendations**

1. **That following the acceptance of these recommendations the Head of Democratic Services report back to the next meeting of Council with a full implementation plan including any resource implications**
2. **That the implementation plan contain provision avoiding the need to alter the Council Constitution to reflect agreed changes, until the next planned review of the Constitution**
3. **That a working group meeting six-monthly be set up to**
  - a. **Initially to assist in the development of the implementation plan**
  - b. **To review the implementation of the agreed recommendations after an appropriate period of operation; and**
  - c. **to work towards further improvement.**

**That this working group comprise the Steering Group for this review and that it report to the Corporate Issues and Partnerships Overview & Scrutiny Panel.**

## 4. List of Appendices

1.	Briefing presentation from Head of Democratic Services
2.	Results of question asked of other Council Member Support functions concerning improvements to Full Council
3.	Lessons from visit to Kirklees Metropolitan Borough Council
4.	National guidance on 'Modernising Full Council' – INLOGOV Seminar
5.	Results of open discussions with Members (O&S, Council Executive and individuals)
6.	Results of Member questionnaires
7.	Extract from O&S Chairs meeting notes
8.	Results of Public questionnaires
9.	Head of Service discussion of Full Council Meeting
10.	All Member workshop outcomes
11.	Workshop with past Chairmen of Council
12.	Review Terms of Reference

For a copy of these appendices please email [scrutiny@bathnes.gov.uk](mailto:scrutiny@bathnes.gov.uk) or call 01225 396053

### **Review Steering Group**

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Cllr. Hattie Ajderian

Cllr. Keith Kirwan

Graham Russell (Head of Democratic Services)

Anna Burgess (Overview & Scrutiny Project Officer)