

DONCASTER METROPOLITAN BOROUGH COUNCIL

ELECTIONS AND DEMOCRATIC STRUCTURES COMMITTEE

16TH MARCH, 2010

A MEETING of the ELECTIONS AND DEMOCRATIC STRUCTURES COMMITTEE was held at the MANSION HOUSE, DONCASTER on TUESDAY 16TH MARCH, 2010 at 10.00 a.m.

PRESENT:

Chair – Councillor Moira Hood
Vice-Chair – Councillor Bob Ford

Peter Davies, Mayor of Doncaster, Councillors Marilyn Green, Ken Knight, Bill Mordue and Ray Mullis.

APOLOGIES

Apologies for absence were received from Councillors Kevin Abell, Paul Bissett and Ken Keegan.

13. DECLARATIONS OF PERSONAL AND PREJUDICIAL INTEREST

There were no declarations made at the meeting.

14. MINUTES OF THE ELECTIONS AND DEMOCRATIC STRUCTURES COMMITTEE MEETINGS HELD ON 22ND SEPTEMBER, 2009 AND 4TH MARCH, 2010

RESOLVED that the Minutes of the Elections and Democratic Structures Committee meeting held on 22nd September, 2009 and the Extraordinary Elections and Democratic Structures Committee meeting held on 4th March, 2010 be approved as a correct record and signed by the Chair.

15. ANTICIPATED COMBINED LOCAL AND PARLIAMENTARY ELECTIONS – 6TH MAY 2010: PROGRESS REPORT

The Committee considered a report which provided information on the progress being made in preparation for the Local and Parliamentary General Elections which were both expected to take place on 6th May, 2010.

In presenting the report, the Electoral and Democratic Renewal Consultant confirmed that whilst the date of the Parliamentary Election had not yet been determined, it was generally anticipated that it would take place on 6th May with the Local Elections. With regard to costs, he advised that the cost of the Local Election was met by the Council whilst funding for the Parliamentary Election was met by the Government. This being the case, the cost of combined elections would be shared on a 50/50 basis where facilities (e.g. polling stations) were used for both elections.

General discussion followed, during which the Electoral and Democratic Renewal Consultant answered a range of questions from Members regarding preparations for the Elections, including the proposed date for issuing postal votes to the public, staffing arrangements for the verification of ballot papers and counting of votes for the Parliamentary Election on the Thursday night, followed by the count for the Local Election on the morning of Friday 7th May 2010, and estimated time when the count for the Parliamentary Election was likely to commence.

It was then

RESOLVED to note the progress made to date in the initial preparation for the forthcoming Elections.

16. REVIEW OF THE APPLICATION OF POLITICAL PROPORTIONALITY TO SEATS ON COMMITTEES AND SUB-COMMITTEES

Members considered a report which reviewed the methodology for the proportional allocation of seats on Committees and Sub-Committees and presented options to enable the Committee to make recommendations to the Council to identify its preferred option in readiness for the next allocation of seats to each Political Group at the Annual Council meeting on 21st May 2010.

The Acting Director of Legal and Democratic Services introduced the report and outlined the salient points. During subsequent discussion on the recommendations in the report, Members expressed the view that arrangements had generally worked well over the past year with regard to the membership of the four standing Scrutiny Panels and therefore expressed the view that political proportionality should continue to be applied to the seats on the Overview and Scrutiny Panels.

After Members had commented on the success of joint Scrutiny Panel meetings, which they felt had proved to be effective and useful in looking at cross-cutting issues falling within the remit of 2 or more Panels, it was

RESOLVED to recommend to the Council that:-

- (1) the current Committee and Sub-Committee standardised sizes of 11 and 5 seats respectively be continued;
- (2) political proportionality continue to be applied to the four standing Scrutiny Panels and disappplied to the Standards Committee and its Sub-Committees; and
- (3) the Licensing Committee remain at 14 Members on a politically proportionate basis and that existing arrangements for the Licensing Sub-Committees of 7 Members each on a non-proportionate basis be continued.

17. REVIEW OF COMMITTEES' AND SUB-COMMITTEES' TERMS OF REFERENCE FOR 2010/11

Members considered a report which outlined a small number of proposed minor revisions to the Terms of Reference of Committees and Sub-Committees for the 2010/11 Municipal Year for recommendation to the Council for adoption at its Annual Meeting on 21st May 2010, for the discharge of Council functions.

Appendix A to the report detailed the existing Terms of Reference for the Authority's Committees and Sub-Committees, incorporating the minor revisions proposed in relation to the Terms of Reference for the Audit Committee, which were aimed at providing more clarification, and the Standards (Assessment) Sub-Committee/Standards (Determination) Sub-Committee, where references to the Standards Board for England had been updated to reflect the Board's new name of Standards for England.

After the Internal Audit Manager had clarified the reasons behind the proposed revisions to the Audit Committee's Terms of Reference, it was

RESOLVED to:-

- (1) recommend to Full Council revisions to the existing Terms of Reference for the Committees and Sub-Committees of the Council as set out in Appendix A to the report and note the Terms of Reference for non-decision making bodies which are functions of the Council, as detailed in Appendix B to the report; and
- (2) note that the Mayor will determine how decisions in respect of Executive functions are to be taken.

18. REVIEW OF COUNCIL PROCEDURE RULE 12 – QUESTIONS BY THE PUBLIC

Members considered a report which sought the Committee's views on whether a revision should be made to Council Procedure Rule (CPR) 12 – Questions by the Public, and put forward as a formal recommendation for consideration by the Full Council at its Annual Meeting on 21st May 2010.

The Committee was reminded that at the Full Council meeting held on 18th January 2010, two questions to the Mayor were received from members of the public who lived outside of the Borough. During subsequent discussion at that meeting, Members had raised the issue of whether it was acceptable for questions to be put by members of the public who resided outside the Borough and the view was expressed that it was reasonable to restrict questions by members of the public to residents of the Borough. Consequently, the Council had resolved to request the Elections and Democratic Structures Committee to consider an amendment to the Constitution, restricting questions from the public to residents in the Borough.

Members noted that whilst Council Procedure Rule 12 within the constitution outlined the rules and procedure to be followed with regard to receiving questions by the public during the 'question time' session at full council

meetings, it was silent on the issue of who may submit a question. Members' views were therefore sought as to whether or not the above rule should be revised in order to specify that questions by the public at Council meetings would only be accepted from residents of the Borough. In addition, the Committee was asked to consider whether this criterion should be widened to allow questions from people who work in the Borough.

Discussion followed, during which Members generally agreed that questions submitted to Full Council Meetings should be restricted to residents of the Borough only and that the criteria should not be expanded to also include those who work in the Borough, as it was felt that there were other means by which people living outside the Borough could have questions answered, such as by email, and that the 'Question Time' session at Council Meetings should remain as a facility by which residents of the Borough could put questions to Members of the Executive and/or the Chair of a Regulatory Committee.

RESOLVED to recommend to the Council that Council Procedure Rule 12.1 be amended to the following effect (new text shown in bold italics):-

"12.1 General

Members of the public, ***i.e. people who are residents of the Borough***, may ask questions of members of the Executive and/or the Chair of a relevant Regulatory Committee if the question concerns a regulatory matter, e.g. Planning and Licensing, at ordinary meetings of the Council."