

Comments from Standards Committee

31 July 2024

General Comments

The draft is taken from Liverpool and Buckinghamshire Councils and will need to be amended to reflect Southend's requirements.

Typographical errors and use of language will be addressed in the final draft.

- **Page 38 – Placeholder for Decision-Making and Key Decisions**
Currently £250k threshold – Southend's limit is very low in comparison to other local authorities and needs to be reviewed following conclusion of Joe Chesterton's survey of other local authorities. Consideration needs to be given how this threshold should be set. Perhaps the Leader and relevant Cabinet Member could decide this level on an annual basis. Due diligence and appropriate checks are required before increasing the limits

APPENDIX D – Summary & Explanation

1 – Summary and Explanation

- **Page 31 – Paragraph 1.12**
The relevant eligibility criteria prescribed by the Electoral Commission should be reflected here
- **Page 32 – Paragraph 1.15**
Consideration needs to be given to timing of Mayor Making and Appointments of Committees. Must fulfil requirements for the AGM. Perhaps have ceremonial Mayor Making in the morning or day prior to Appointments meeting.
- **Page 32 – Paragraph 1.19**
Mentions up to 2 deputy leaders but in paragraph 4.11.7(c) (page 59) mentions appointment of one Councillor as deputy leader
- **Page 33 – Paragraph 1.24**
Cabinet must hear what the Overview & Scrutiny Committee has to hear – This needs to be formalised. Perhaps the views should be documented and/or the Chair of the Scrutiny Committee should attend Cabinet as appropriate to present the views of the Scrutiny Committee. The response of Cabinet should also be reported back to Scrutiny. Also, reference up from Scrutiny to Council is no longer exists at Southend. (Points to be addressed in the Overview & Scrutiny Procedure Rules).

- **Page 33 – Paragraph 1.28**
Composition of Committees should be proportionate where practicable rather or typically proportionate rather than generally proportionate.
- **Page 33 – Paragraph 1.30**
The reference to Committee Councillors should be Members of the Committee.
- **Page 34 – Paragraph 1.32**
Each Ward being represented by one or more elected Councillors. Subject to the outcome of the review by the Boundary Commission, this should say up to three elected Councillors.
- **Page 36 – Paragraph 1.48**
Minor amendments in line with changes in the legislation can be made by the Monitoring Officer. Should other minor amendments be made by the Monitoring Officer in consultation with the Leader and/or Group Leaders

2 – Public Participation

- **Page 36 – Paragraph 2.9**
Consultation by Council needs rewording. The reference to consulting as wide as possible is not appropriate. Consider using as wide as practicable.
- **Page 37 – Paragraph 2.12**
Consideration needs to be given how the involvement of the public in budget and policy development is undertaken e.g. Havering Council.

4. Access to Information Procedure Rules

- **Page 39 – Paragraphs 4.2 and 4.3**
Wording of these need simplifying whilst still reflecting the relevant legislation. If the wording is taken from the legislation perhaps consider the use of footnotes or asterisks to ensure accessibility by anyone with visual impairments.
- **Page 46 – Paragraph 4.40**
The wording regarding confidential meetings/items of business needs to be reviewed to reflect practicalities. Meetings should all be held in public except when confidential matters are being considered. There seems little point in allowing the public to a meeting for procedural matters eg apologies, declarations and approval of minutes only then to be excluded from the main item(s) of confidential business.

- **Page 47 – Paragraph 4.48**
Access to information by Councillors on Overview and Scrutiny Rules will be dealt with as part the Overview & Scrutiny Procedure Rules.

5. The Petitions Scheme

- **Page 50 – Paragraph 5.2**
Is 10 signatures an appropriate number for a petition to be identified as a petition? Perhaps 20?
- **Paragraphs 5.8-5.12**
Consideration should be given to the threshold when dealing with petitions. Currently any petitions under 100 signatures are referred to the relevant Executive Director to respond to. Any petitions over 100 signatures are referred to Cabinet, Cabinet Committee or relevant Scrutiny Committee as appropriate. When petitions are referred to the Executive Director, the Ward Councillors should be informed of the outcome. The Petitions Officer is the Head of Democratic Services. What happens if petitions are refused as being eligible? Is there any appeals process? This needs clarifying
- **Page 52 - Paragraph 5.15**
Reference to Purdah needs to be removed.

APPENDIX E – Part 2 The Council

1. The Council

- **Page 53 – Paragraph 1.2**
This paragraph needs rewording. Councillors are “typically” elected for a 4 year term. There are some occasions when this is not the case
- **Page 53 – Paragraph 1.6.14**
The appointment of Freeman of the City needs to be included.

2. The Role of Councillors

- **Page 56 – Paragraph 2.6**
Consideration should be given as to whether the deputy Mayor should not be a member of the Overview & Scrutiny Committees. Whilst best practice is for them not to be a member of these committees, it is permitted under the legislation. It may cause difficulties when appointing to Committees for some groups

3. The Budget & Policy Framework

- **Page 57 – Paragraph 3.1**

Check if the Local Plan may need to be included in this as well as any other policies/plans of the Council

4. The Council Procedure Rules

- **Page 60 – Paragraph 4.14**

Consideration needs to be given to the timing/length of speeches, particularly for unaligned independent Councillors. This has been the subject of discussion previously and timings agreed. Perhaps a review of those discussion/notes should be undertaken if possible.

- **Page 62 – Paragraphs 4.22 and 4.23**

These paragraphs regarding the Amendment to the Budget and Council Tax need to be reworded. The appropriate wording will be provided at the meeting on 10th September by the S.151 Officer..

- **Page 62 – Paragraph 4.25.1**

Can an email from the Councillors confirming their support be accepted or is a photo/scan of a physical signature required?

- **Page 62 – Paragraph 4.31**

Commencement time of Council Meetings should be 6.30pm not 5.00pm and held at the Civic Centre rather than Town Hall.

- **Page 63 – Paragraph 4.37**

Length of Extraordinary meetings should be extended to 90 minutes

- **Page 64 – Show of Hands**

Electronic voting is used rather than show of hands.

- **Page 65 – Paragraph 4.57**

Councillors may stand to vote if they wish but should not be required to.

- **Page 66 – Public Speaking Time**

Are statements from members of the public to be introduced at Southend? Should include questions from members of the public here. The length of questions and the responses needs to be restricted in terms of the number of words.

- **Page 67 – Paragraph 4.84**

APPENDIX A

When asking a supplementary question, members of the public will not be aware of its relevance if they don't have access to the written response. This needs to be addressed. The number and length of questions and the responses needs to be restricted in terms of the number of words. Perhaps if two questions are submitted only one will be taken unless there is sufficient time after the first questions have been responded to.

- **Pages 70 and 71 – Paragraphs 4.102 and 103**

This should refer to a Motion to Remove the Leader and not a motion of no confidence

- **Page 77 – Paragraphs 4.158 to 4.160**

Councillor Misconduct during meetings. Perhaps reference to the expectation to adhere to the Nolan Principles should be added here.

Part 5. The Budget and Policy Framework

- **This section will be deferred for consideration at the next meeting.**

Part 6. The Honorary Alderman Scheme

- **Page 86 – Withdrawal of Title Rights and Privileges**

If the privilege of Honorary Aldermen is withdrawn, there should be no automatic entitlement to re-instatement of it.