

Meeting of the Cabinet – 12th September, 2018

Report of the Lead for Law and Governance

Review of Council Procedure Rule 11 – Questions by Members at Full Council

Purpose of Report

1. To consider a review of Council Procedure Rule 11 relating to questions asked by Members at full Council meetings.

Recommendation

2. That the revised Council Procedure Rule 11, as set out in the Appendix, be approved in principle.
3. That the arrangements for the new ‘Question Time’ session be piloted at the full Council meeting on 8th October, 2018.
4. That subject to the outcome of the pilot, amendments to Council Procedure Rule 11 be formalised in the Annual Review of the Constitution.

Background

5. On 13th June, 2018, the Overview and Scrutiny Management Board considered a review of Council Procedure Rule 11 concerning questions asked by Members at full Council meetings. Proposals to revise the Procedure Rule have been the subject of consultation with Group Leaders and all elected Members. The main purpose of the review is to make it easier for Members to ask questions at full Council meetings on any matters affecting the Borough, without having to find a relevant minute in the ‘White Book’ to link their question to.
6. Taking account of the comments of the Overview and Scrutiny Management Board, a revised draft of Council Procedure Rule 11 is attached as an Appendix. The Cabinet is asked to note the following key points:
 - The Mayor currently invites questions from Members on Minutes and Decision Summaries in the order that they appear in the White Book. The new ‘Question Time’ will be in two parts:
 - (a) Questions to the Leader and Cabinet Members
 - (b) Questions to Committee and Community Forum Chairs

To assist the conduct of the meeting, the Mayor will deal with written questions first before verbal questions are invited from (a) and (b) above.

- There has been considerable discussion on the setting of time limits on the overall Question Time session, the asking of individual questions and the responses from the Leader, Cabinet Members or Chairs. There is currently no time limit on the 'Questions under Council Procedure Rule 11' agenda item and it is recommended that this should remain the case.
 - One of the objectives of the change is to make it easier for Members to ask questions and avoid unnecessary regulation or bureaucracy. The Mayor will make an announcement at the beginning of the Question Time session to emphasise that the purpose is to enable Members to ask questions and the Mayor will regulate the conduct of the meeting accordingly.
 - When a question is asked, the Mayor will invite any other Members to indicate if they have a question on the same subject. This will assist with the efficient conduct of the meeting.
 - The revised Procedure Rule gives the option for Members to submit written questions in advance by giving at least 3 clear working days' notice to the Monitoring Officer before the date of the ordinary meeting of the Council. The deadline will normally be 5.00pm on Tuesday in the week immediately before the Council meeting. The clear advantage of submitting advance questions is that more detailed responses can be provided at the meeting and it will be less likely that written replies after the meeting will be required.
 - The Overview and Scrutiny Management Board has not recommended placing a limit on the number of questions allowed per Member or a protocol for the allocation of questions between political groups. The Mayor has the ability to call Members to speak as he/she wishes to ensure the Council meeting is conducted fairly.
 - It is proposed that the new Question Time be piloted at the October Council meeting. This will give an opportunity for Members and Officers to identify any practical issues and make refinements to improve the Question Time session. Subject to the outcome of the pilot, the revised Council Procedure Rule 11 will be included in the annual review of the Constitution for consideration in the October/November cycle of meetings.
7. The existing Council 'White Book', will still be made available online. Paper copies will only be supplied to Members who 'opt in' to receiving a paper copy.

Finance

8. The printing costs for the 'White Book' is approximately £6,000 per annum. Depending on the number of Members who opt to retain paper copies, it may be possible to reduce this cost. The proposal will not involve any additional costs other than staff time to administer the process.

Law

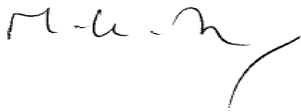
9. The Constitution is adopted by the Council pursuant to the requirements of the Local Government Act 2000.

Equality Impact

10. This report has no direct impact on the Council's commitment to equality and diversity.

Human Resources/Transformation

11. This report has no direct human resources implications. The report deals primarily with a change in the process for dealing with questions at full Council, which will be administered by the Democratic Services Section.



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Lead for Law and Governance

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List of Background Papers

[Report and Minutes of the Overview and Scrutiny Management Board – 13th June, 2018](#)
[The Council's Constitution](#)

COUNCIL PROCEDURE RULE 11

11. QUESTIONS BY MEMBERS

Questions at Full Council Meetings

- 11.1 At meetings of the Council, Members will be invited by the Mayor to address questions to:
- (a) the Leader of the Council and Cabinet Members; and
 - (b) the Chairs of Committees and Community Forums
- 11.2 Questions must relate to a matter for which the Council has powers or duties or which affect the Borough. Questions should not relate to subjects that are covered by other agenda items or which relate to individual items of casework.
- 11.3 Members may submit written questions in advance by giving at least 3 clear working days' notice to the Monitoring Officer before the date of the ordinary meeting of the Council. Written questions may also be submitted to a Member who is appointed by the Council to a Joint Authority or a Joint Committee. The same notice period applies.
- 11.4 If the Member to whom a question is addressed is absent, the Leader, Deputy Leader, Vice-Chair or another Member will be asked to reply as appropriate.
- 11.5 Before the Mayor calls on the Leader, Cabinet Member, Committee or Community Forum Chair to reply to a question, other Members will be asked to indicate if they have a question on the same subject.
- 11.6 Before calling on the Chair of a Committee or Community Forum to reply, the Mayor may invite the Leader or relevant Cabinet Member to comment on the question.
- 11.7 Immediately after a reply is given to a question, the Member who asked the original question will be invited to ask one supplementary question if they wish. The supplementary question must relate to the original question or the answer to it. Any written replies to questions will be made available to all Members of the Council.

Questions at Committees

- 11.8 If two clear days' notice in writing has been given to the Monitoring Officer, a Member of a Committee may ask the Chair any question on any matter falling within the functions of that Committee.