



GOVERNANCE COMMITTEE

Subject Heading:	Revision of Procedure for Council Questions
CMT Lead:	Ian W. Burns
Report Author and contact details:	Ian W. Burns Acting Assistant Chief Executive ian.burns@havering.gov.uk 01708 432484
Policy context:	
Financial summary:	There are no financial implications involved in this report

The subject matter of this report deals with the following Council Objectives

Ensuring a clean, safe and green borough	☐
Championing education and learning for all	☐
Providing economic, social and cultural activity in thriving towns and villages	☐
Valuing and enhancing the lives of our residents	☐
Delivering high customer satisfaction and a stable council tax	☐

SUMMARY

Following consultation with the Administration, proposals are put forward to revise the procedure for Council questions answered at each meeting, with the questions being submitted earlier than at present.

RECOMMENDATIONS

1. The Committee to consider this report.
2. That rule 10.2(i) of the Council Procedure Rules (Notice of Questions) is amended to read:
“they have given 11 clear days’ notice in writing to the Proper Officer signed by the Member or by the Group Leader on behalf of that Member”
and the timetable in the Appendix to the Rules be amended accordingly.

3. That rule 10.6 of the Council Procedure Rules (Time for Questions) is amended to read:

“Number of Questions

A maximum of 15/20 questions can be submitted for a Council meeting all of which together with any supplementary questions under rule 10.5 will receive an oral reply at the meeting. Any questions in excess of the maximum number that are submitted will be treated as a Member enquiry and receive a written response.”

4. That this Committee recommend whether the maximum number of questions is 15 or 20 or some other number.
5. That this Committee decides whether to retain the current distribution of questions rights or amend it to one of the options suggested in paragraph 8 of this report.

REPORT DETAIL

1. For many years now there has been part of the Council procedure for Members to have 30 minutes in which to ask questions of the administration about the business of the Council and matters affecting the borough. Members had to give notice of their main question but having received the initial answer they may then ask without notice a supplementary question. The number of questions put down for answer is now invariably over 20 and often near 30, but it is rare for more than nine or 10 questions to be answered in the 30 minute session. As well as the number of questions, the complexity means that a considerable amount of research has to be undertaken in a patently short period, questions currently having to be submitted six working days before the Council meeting.
2. The reduction in the size of the officer structure together with the number and complexity of questions is resulting in the answers being completed very close to the Council meeting and often requires cabinet members to consider the draft replies at very short notice.
3. Having consulted with the administration, it is proposed that the notice period for the deposit of questions should be extended to 11 working days before the Council meeting. This will enable answers to be prepared in a comprehensive manner, including sufficient time for Cabinet Members to include their input into the final replies.
4. There will still be the facility for the Mayor to permit the asking of an urgent question where a matter of importance has arisen after the normal closing date for questions.
5. In order that more questions can be answered orally, it is proposed to amend the time period for questions from a fixed period of 30 minutes to the time taken

to answer a fixed number of questions, the two suggested totals being either 15 questions or 20 questions. Unless the answers to questions and supplementary questions are more succinct than at present, the amount of time taken for questions will probably exceed the current 30 minutes, which will have an impact on the time available for debates on motions. The views of the committee are sought on these two possible limitations on the number of questions.

6. With there being a fixed number of questions to be answered already, there is then the matter of what should happen if more than - for example - 15 questions are submitted.
7. Currently, questions that do not receive an oral answer receive a written answer. This is appropriate when there is uncertainty about the number of questions that will receive an oral reply. If the Committee and Council decide to fix the number of questions that will receive an oral reply then there is no need to have a 'reserve' list that may or may not receive an oral response. It is suggested that once the 15/20 questions have been submitted any subsequent questions will be treated as member enquiries and receive a written response in the normal manner.
8. There are already provisions in the Council Procedure Rules to ensure a fair distribution of questions. These provisions, which appear to be well received could be retained, or if a change was desired two other possible options for sharing questions are suggested:
 - (a) That all the questions are shared out in the approximate proportions as the ration of seats held by each opposition party, e.g. with 20 questions the ratio would be Residents 11, Labour 5, IRWR 4.
 - (b) That a lower number of the questions were reserved to each opposition party with a 'first come, first served' for the remainder, e.g. Residents 7, Labour 3, IRWR 2 with 8 questions available to all (assuming a total of 20 questions).

IMPLICATIONS AND RISKS

Legal implications and risks:

The governance of Council meetings is largely an internal matter for the Council, so there are no direct legal implications from these proposals. A longer time for questions will result in there being less time for debating motions unless a separate decision is made about lengthening the time for the meeting or revising the rules of debate.

Financial implications and risks:

There are no direct financial implications from these proposals. Officer time is already taken up with preparing answers to questions and member enquiries, and the proposals will mean no specific changes in staffing structures/deployment.

Human Resources implications and risks:

There are no direct human resource implications

Equalities implications and risks:

No equalities implications and risks have been identified as a result of the proposed changes to the Council Meeting procedure as there are already provisions in the Council Procedure Rules to ensure a fair distribution of questions answered at Council meetings.

BACKGROUND PAPERS

None