

Committee: Governance, Audit and Performance Committee
Title: Council Procedure Rules: time permitted for questions to the executive and Committee Chairs
Report Author: Ben Ferguson, Democratic Services Manager
Date: Tuesday, 16 March 2021
bferguson@uttlesford.gov.uk

Summary

1. At the Governance, Audit and Performance Committee meeting held on 4 February 2021, Members established a Task & Finish Group to review the time permitted for questions to the executive and Committee Chairs (Rule 2.4: Section 2, Part 4), and to make a recommendation to the Committee in regards to amending Rule 2.4.
2. The Group was composed of Councillors Driscoll, Barker, Isham, Jones and Khan.
3. The Group met on Friday, 26 February to consider a number of approaches to questions to the executive and Committee Chairs, with a particular focus on the Essex County Council model. The Group's recommendation is set out in Appendix 1 of this report.

Recommendations

4. That the Committee recommends to Council that it amend Rule 2.4 of the Council Procedure Rules as set out in Appendix 1 to this report on a trial basis.

Financial Implication

5. None.

Background Papers

[Uttlesford District Council - Constitution: Section 2, Part 4](#)

Impact

- 6.

Communication/Consultation	The Task & Finish Group met on 26 February to discuss the options available.
Community Safety	None
Equalities	None

Health and Safety	None
Human Rights/Legal Implications	Notice of questions will allow for advance consideration of any legal implications.
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

Situation

7. Under the Council Procedure Rules (Rule 2.4: Section 2, Part 4), the time permitted for questions to the executive and Committee Chairs is limited to 15 minutes:
 - *For a period not exceeding 15 minutes for the Leader, members of the executive and Chairmen of committees to receive questions from members, to permit the Leader, members of the executive or Chairmen to reply and for the questioner to ask a supplementary question but without any debate on the issues raised;*
8. Comments have been made at Full Council regarding the increased number of Cabinet members under the current Administration and the subsequent need to extend the question time permitted. At the Committee meeting on 4 February, a Task and Finish Group was established to review the issue.
9. The Task & Finish Group met on 26 February. The report and associated appendices considered by the Group have been attached at Appendix 2.
10. Members discussed the rules in place at South Lakeland District Council, Tendring District Council, Norfolk County Council and Essex County Council. Councillor Barker spoke of her experience at Essex County Council (ECC), with specific focus on how question time worked on a practical level.
11. Members highlighted the following issues during their discussion:
 - The majority view was that question time should be extended to 30 minutes, to allow effective questioning of the executive. It was vital that Cabinet Members were held accountable, and a time extension was justifiable due to the higher number of Cabinet Members under the current Administration. It was noted that if the 30 minutes were not required in full, the meeting would simply move onto the next item.
 - In addition to an increase in time, it was agreed that questions should be submitted in writing well in advance of meetings, in order that written responses be provided in advance of the meeting.
 - There was particular interest in the ECC model, as described by Councillor Barker. At ECC meetings, only questions of clarification could be asked; Members did not read out the written questions or answers, and there would be no opportunity to ask supplementary questions.

- The culture, working behaviour and tone of Full Council meetings required addressing. There was agreement that question time could be perceived as antagonistic. Members felt that by supplying questions and answers in advance of these meetings, a more professional and dignified tone could be conveyed.
- Rule 2.4 only applied to the standing item ‘Questions to the executive and Committee Chairs’; Members would still be free to ask questions during their statements on any report when the appropriate agenda item was under consideration.
- Oral questions could be asked but only on matters that had arisen in the past eight working days, and providing the Chair had given their consent that the matter was urgent. Notice of oral questions was required to be given by 9.00am on the day of the meeting.
- Any changes to Rule 2.4 should be implemented on a trial basis before amending the Constitution. It is recommended that Council adopt the changes on a trial basis for two meetings in order that any potential problems can be identified and addressed before final approval. .
- Exceptions should be put in place for the budget setting and Annual Council meetings. These meetings should be dedicated to the business on the agenda and questions would not be permitted.

12. Appendix 1 sets out the proposed arrangements for ‘Questions to the executive and Committee Chairs’. Primarily, the proposal is based on the ECC model, although it has been amended in order to incorporate the Group’s comments.

13. Members are asked to recommend to Council that Rule 2.4 be amended as set-out in Appendix 1 of this report, subject to a trial period of two Full Council meetings.

Risk Analysis

14.

Risk	Likelihood	Impact	Mitigating actions
That the current Rule provides elected members insufficient time to ask questions of the executive and Committee Chairs.	3	3	To trial the proposed amendments to Rule 2.4

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.