

Appendix A – Constitutional examples of Questions to the Executive and Committees Chairs

Norfolk CC

8. QUESTIONS BY MEMBERS

8.1 QUESTIONS WITHOUT NOTICE

A Member of the Council may at a full Council meeting ask the Leader or the chair of a committee any question without notice concerning an item within the report of the Cabinet or committee, when that item is under consideration by the Council. A maximum overall period of 30 minutes shall be allowed for questions to Cabinet Members, with a maximum of 5 minutes for questions to an individual Cabinet Member, both periods to be extendable at the discretion of the Chair. Questions to Cabinet Members can relate to anything within the remit of the Cabinet Member's portfolio and are not limited to items in the Cabinet reports.

8.2 QUESTIONS TO THE LEADER OF THE COUNCIL

At each Council meeting, there shall be a 15-minute Leader's Question Time session during which Members may ask questions that do not relate to items covered in the reports from Cabinet. Questions shall not require prior notice. The Leader may ask Cabinet Members to answer questions where appropriate.

8.3 QUESTIONS ON NOTICE

A Member of the Council may ask:

- the Chair;
- the Leader or relevant Cabinet Member;
- the chair of any committee

a question on any matter in relation to which the Council has powers or duties or which affects Norfolk.

8.4 NOTICE OF QUESTIONS

A Member may only ask a question under Rule 8.3 if they have given at least 4 working days' notice of the question in writing to the Head of Democratic Services. However, if a question relates to urgent matters and a Member has obtained the consent of the Chair of the Council, then the question may be asked provided that the content of the question is given to the Head of Democratic Services by 9.30 a.m. on the day of the meeting.

8.5 RESPONSE

Where the reply cannot conveniently be given orally, a written answer will be sent to the questioner within 7 days of the meeting and a copy appended to the minutes.

8.6 If the Member who has given written notice of the question is not present when the question is to be put, that question may, with the consent of the Chair, be asked by any other Member present.

Tendring DC

Scope of Questions on Notice at Full Council and Time Allocated in the Meeting

Subject to Rules 11.3, 11.4 and 11.5 a Member of the Council may ask:-

- the Chairman;
- a Member of the Cabinet; and
- the Chairman of any Committee;

a question on any matter, which is within their area of responsibilities as set out in Part 3 of the Constitution, in relation to which the Council has powers or duties or which affects the Tendring District.

Questions from Members will be set out in the agenda in the order in which they were received.

The time allocated for receiving and disposing of questions shall be a maximum 30 minutes.

Any question not disposed of at the end of this time shall be the subject of a written response, copied to all Members the following working day unless withdrawn by the questioner.

Questions shall not be submitted to the Annual Meeting of the Council or to an Extraordinary Meeting of the Council or to the Budget and Council Tax setting meeting of the Council.

11.3 Notice of Questions

A Member may only ask a question under Rule 11.2 if either:

(a) notice has been given by delivering it in writing (or by personal e-mail) to the Committee Services Manager no later than midday 8 (eight) working days before the day of the meeting; or

the question relates to urgent matters, he has the consent of the person to whom the question is to be put and the content of the question is given to the Committee Services Manager by noon on the day of the meeting.

11.4 Number of Questions

At any one meeting no Councillor may submit more than two questions.

11.5 Reasons for rejection of Questions

- (a) the question is not about a matter for which the local authority has responsibility or which affects the District;
- (b) The Monitoring Officer will reject a question if in their judgement it could be considered to be defamatory or offensive or requires the disclosure of confidential or exempt information (as defined in the Access to Information Procedure Rules);
- (c) the Monitoring Officer will reject a question if in their judgment it is substantially the same as a question already received to be put to the ordinary meeting of the Council in question;
- (d) The Monitoring Officer will reject a question if in their judgement it is substantially the same as a question which has been put at a meeting of the Council in the past six months;
- (e) The Monitoring Officer will reject a question if in their judgement it is likely to lead to a breach of the Members' Code of Conductor; or
- (f) the question is about a matter that is subject to call in or ongoing legal proceedings.

11.6 Response

An answer may take the form of:

- (a) a direct oral answer;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where a reply cannot conveniently be given orally, a written answer given later to all Members.

The Member giving the response must provide an electronic or written copy of that response to the Committee Services Manager by Noon on the day of the meeting in order to enable the response to be circulated to the Questioner, the Chairman of the Council, the Leader of the Council and relevant Officers.

South Lakeland DC

10.2 Cabinet Question Time

A period of 30 minutes will be allocated at each ordinary meeting of the Council, excluding the Annual Meeting and Extraordinary Meetings, during which Members may ask questions of the Executive on any topic that is within the jurisdiction or reasonable influence of the Council and is relevant to the Leader or the Portfolio Holder's area of responsibility in accordance with the procedure set out in Rule 10.3.

As set out in paragraph 2(h) above, at least three times a year Council will be asked to consider a composite report of the Cabinet. This will form part of the Cabinet Question Time agenda item with a combined time period of up to a maximum of one hour being allocated.

10.3 Procedure for putting Questions during Cabinet Question Time (Rule 10.2)

The following procedure will be followed for putting questions during Cabinet Question Time:-

- Questions which are submitted in writing will be taken first.
- Written questions should be submitted in writing to the Legal, Governance and Democracy Lead Specialist (Monitoring Officer) with at least 24 hours prior to the date of the relevant Council meeting.
- The Leader and/or the Leader or Portfolio Holder will be notified as soon as possible of the receipt of a written question.
- Written questions will be taken in the alphabetical order of the name of the Member putting the questions. This will be alternated from meeting to meeting.
- Where a Member submits more than one question for a meeting, he/she will be able to ask his/her first question in accordance with the alphabetical order of receipt. His/her subsequent questions(s) will be taken after all other Members have asked their first or sole questions. If more than one Member falls into this category then the subsequent questions will be asked alternatively until all questions have been asked or the 30 minute period has expired.
- In the event that it is not possible to ask a written question due to lack of time, the Leader or relevant Portfolio Holder will provide a written answer to the question following the meeting. This will also be circulated to all Members.
- Once all written questions have been dealt with, and subject to time remaining within the 30 minute period, Members will be able to put questions from the floor to appropriate Portfolio Holders present in the room, provided that they comply with the criteria in paragraph 10.2 above. If more than one such question is asked the procedure set out in Rule 10.2(a) shall apply.
- Once a response has been given to the question, the Member who asked the question may ask one supplementary question without notice, to the Member to whom the first question was asked. The supplemental question must arise directly out of the original question or the reply.

10.4 Response

An answer to either a written question, supplementary question or oral question put during Cabinet Question Time may take the form of:

(a) a direct oral answer;

(b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or

(c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner and all other members.