

Appendix 2.1 – Report and appendices of the Task & Finish Group held on 26 February 2021

Committee:	Task & Finish Group: time permitted for questions to the executive and committee chairs	Date:	26 February 2021
Title:	Council Procedure Rules: time permitted for questions to the executive and committee chairs		
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Summary

1. The Council Procedure Rules stipulate that at every ordinary meeting of Full Council an item is dedicated to the questioning of executive Members and committee chairs.
2. The time period provided for in the Constitution states that this question time will not exceed 15 minutes.
3. At the GAP Committee meeting held on 4 February 2021, Members established a Task & Finish Group to review Rule 2.4 (Section 2, Part 4), and to make a recommendation to GAP in regard to amending Rule 2.4. The Group is composed of Councillors Driscoll, Barker, Isham, Jones and Khan. Councillor Barker was nominated to the Group in an advisory capacity.

Recommendations

4. To comment on the examples relating to the time permitted for questions to the executive and committee chairs as outlined in this report, and to make a recommendation to the GAP Committee regarding Rule 2.4.

Financial Implication

5. None.

Background Papers

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

Impact

- 6.

Communication/Consultation	None
Community Safety	None
Equalities	None

Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

Situation

7. Under the Council Procedure Rules (Section 2, Part 4 – Rule 2.4), 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.
9. As the number of Cabinet members has increased from five, in 2017, to the current ten, a straightforward proposal would be to increase the permitted time for questions from 15 to 30 minutes.
10. A number of other authorities allow up to 30 minutes' question time to members of the executive at their respective Full Council meetings. Examples include [South Lakeland](#), [Tendring DC](#) and [Norfolk County Council](#).
11. However, it is worth noting that while the above examples all allow up to 30 minutes to question the executive, they each have unique procedures in terms of giving notice of such questions. At Norfolk CC, notice is not required to ask questions of the executive, but the process is largely built around the Cabinet Members producing a written report at Council (although members are free to ask any question relating to a Cabinet Member's portfolio). There is also an additional 15 minutes set aside for questions to the Leader that do not relate to matters contained in the Cabinet reports published with the agenda. These questions do require notice.
12. At Tendring DC, 8 days notice is required to submit a question in writing, although there is provision for the submission of urgent questions, and questions are published with the agenda in the order in which they were submitted. Furthermore, it is noteworthy that a written response to these questions must be produced in writing and sent to the Democratic Services Manager no later than midday on the day of the meeting.

13. South Lakeland DC provides another variation of this model. Questions submitted in writing require 24 hours notice, and all written questions are dealt with first during the 30 minutes permitted for question time. If there is time remaining following responses to the written questions, oral questions to Members of the executive are allowed.
14. Members are asked to consider the procedural examples at Appendix A and to consider whether an extension in time should be accompanied by further amendments, such as changing the way in which questions are submitted, stipulating how responses to such questions are given and whether any meetings should be exempt from question time (e.g. Annual Council, Budget setting meeting).
15. Members may feel that an alternative, more time effective solution is required. For example, all questions could be submitted in advance of the meeting and published with the agenda papers, thereby negating the need to read the question out and saving time in the process.
16. At the GAP meeting on 4 February 2021, Members expressed interest in the Essex County Council model, as highlighted by Councillor Barker. The relevant section of the ECC Constitution has been attached at Appendix B.
17. The report author found the following of note:
 - Written questions are required to be submitted 7 days in advance of the meeting itself. However, there is a degree of flexibility providing the Chairman has given consent that the question is urgent and notice is given by 9.00am on the day of the meeting. Furthermore, responses to the written questions are provided in writing and circulated with all members on the day before the meeting.
 - Restrictions apply in terms of the number of questions each member can submit and in relation to supplementary/follow-up questions.
 - There is also provision to ask oral questions at the meeting. There is a 20 minute time limit for such questions.
18. At Appendix C, Members can see examples of the written questions and responses as published by ECC.
19. Councillor Barker, an ECC Cabinet member, has extensive experience with this model and is asked to provide comment on how this procedure works in practice.

Conclusion

20. Members are asked to consider the aforementioned procedures relating to the time permitted for questions to the executive and committee chairs, and to determine which elements, if any, should be implemented at Uttlesford District Council. The examples outlined above are by no means exhaustive, nor are they mutually incompatible. It has become clear to the report author that an extension of the time permitted *and* the implementation of new procedures in terms of submitting and responding to questions are worthy of consideration.
21. The primary issues, in the mind of the report author, appear to be:
 - Should the time permitted for questions be extended; if so, by how much?

- Should additional procedures be put in place in regard to the submission of questions; if so, how prescriptive should these be, and should a degree of flexibility be built in (e.g. discretion of the Chair to extend the available speaking time)?
- Should the way in which Cabinet members/Committee chairs respond to such questions be stipulated in the Constitution?
- Should the recommendations be trialled on a temporary basis?

Risk Analysis

22.

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 review the current Rule and amend as required.

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.