

APPENDIX 1

[the words recommended for deletion are shown struck through and the words recommended for addition or insertion are shown in italics and underlined]

PART E.8 of the Constitution – Council Standing Orders

[this extract starts at page 5 of Part E.8 in the version of the Constitution updated in June 2005]

9. QUESTIONS BY THE PUBLIC

9.1 General

Subject to Rule 10(10), members of the public may ask questions of members of the Executive, Chairs of committees and the Leader of the Council at ordinary meetings of the Council.

9.2 Order of Questions

Questions will be asked in the order notice of them was received, except that the Mayor may group together similar questions.

9.3 Notice of Questions

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the proper officer no later than 10 a.m. on such day as shall leave at least ~~five~~ eight clear days before the day of the meeting. Each question must give the name and address of the questioner and must name the member of the Council to whom it is to be put.

9.4 Number of Questions

At any one meeting no person may submit more than 1 question and no more than 2 such questions may be asked on behalf of an organisation.

9.5 Scope of Questions

The proper officer may reject a question if it:

- Is not about a matter for which the local authority has a responsibility or which affects the borough;

- Is defamatory, frivolous or offensive;
- Is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- Requires the disclosure of confidential or exempt information.

9.6 Record of questions

The proper officer will enter each question in a book open to public inspection and will immediately send a copy of the question to the member to whom it is to be put. Rejected questions will include reasons for rejection.

Copies of all questions will be circulated to all Members no later than at the meeting and will be made available to the public attending the meeting.

9.7 Asking the question at the meeting

The Mayor will invite the questioner to put the question to the member named in the notice. If a questioner who has submitted a written question is unable to be present, a written reply will be given.

9.8 Supplementary questions

A questioner who has put a question in person may also put one supplementary question for elucidation only without notice to the member who has replied to his or her original question. A supplementary question must arise directly out of the original question or reply. The Mayor may reject a supplementary question on the grounds of rule 9.5 above.

9.9 Written answers

Any question which cannot be dealt with during public question time, either because of lack of time or because of non-attendance of the member to whom it has been put, will be dealt with as a written answer.

9.10 Reference of question to the Executive or a Committee

Any member may move that a matter raised by a question be referred to the Executive or the appropriate committee or sub-committee. Once seconded, such a motion will be voted on without discussion.

9.11 Time limit

A total time limit of 20 minutes, excluding any adjournment shall be allowed for public questions and answers. A question being answered at the time limit shall be completed.

10. QUESTIONS BY MEMBERS

10.1 On reports of the Executive

A member of the Council may ask the Leader or the Chair of a committee any question without notice upon an item of the report of the Executive or a committee when that item is being received or under consideration by the Council.

10.2 Questions on notice at full Council

Subject to Rule 10.5, a member of a committee or sub-committee may ask:

- a member of the Executive;
- the Leader; or
- the chair of any committee or sub-committee

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

10.3 Questions on notice at Committees and Sub-Committees

Subject to Rule 10.5, a member of a committee or sub-committee may ask the Chair of it a question on any matter in relation to which the Council has powers or duties or which affect the borough and which falls within the terms of reference of that committee or sub-committee.

10.4 Number of Questions

The number of questions that may be asked at any meeting of the Council shall be limited to:

10 oral questions (asked and answered orally) of which 5 may be asked by Members of the Majority Party and 5 by Members of the Minority Party or Parties. If more than 5 questions of either kind are asked, only the first 5 questions notified in accordance with Rule 10.5 shall be allowed.

1 written question (asked and answered in writing) from each Member.

10.5 Notice of questions

A member may only ask a question under Rule 10.2, 10.3 or 10.4 if either:

- (a) By 10 a.m. on such day as shall leave at least ~~5~~ *eight* clear days before the meeting they have given notice in writing of the question to the proper officer; or
- (b) the question relates to urgent matters, they have the consent of the Member to whom the question is to be put and the content of the question is given to the proper officer by 10 a.m. on the day of the meeting.

Another Member may ask a question on behalf of the Member giving notice of the question.

10.6 Response

An answer may take the form of:

- (a) a direct oral answer (which another member may answer on behalf of the member);
- (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.
- (d) Written answers to written questions shall be supplied to all Members no later than at the meeting except where this is impracticable and in that case the questioner will be informed at the meeting of the date by which the answer will be supplied.

10.7 Supplementary question

A member asking a question under Rule 10.2 or 10.3 may ask no more than two supplementary questions without notice of the member to whom the first question was asked. The supplementary question must arise directly out of the original question or the reply. The first supplementary will be reserved for the original questioner. Any Member of the Council will be

permitted to ask a second supplementary question. No supplementary questions may be asked on written answers.

10.8 Scope of Questions

The proper officer may reject a question if it:

- Is not about a matter for which the local authority has a responsibility or which affects the borough;
- Is defamatory, frivolous or offensive;
- Is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- Requires the disclosure of confidential or exempt information.

10.9 Time limit

A total of 30 minutes (allowing for any adjournments) shall be allowed on oral questions and answers under this Standing Order; a question being answered at the time limit (and any supplementary questions to it) shall be completed.

Any oral questions remaining unanswered after the time limit must be answered in writing and shall be circulated to all Members on or before the fourth working day after the Council meeting.

10.10 Only Members to Answer Questions

Only an elected Member of the Council may answer a question (whether asked by another Member of the Council or a member of the public) on behalf of the Council at a meeting of full Council.