

Questions at full Council, committee and Cabinet meetings

Constitution Committee – 17 January 2022

1 Background

- 1.1 At the meeting of the Constitution Committee held on 11 October 2021, members requested that a detailed report be brought to a future meeting setting out the deadlines for both public and member questions at full Council, committee and Cabinet meetings.
- 1.2 After a lengthy discussion at the same meeting, it was agreed that Cabinet Decision Statements and Individual Cabinet Member Decision Statements would no longer be included on the Council agenda as member questions provided an opportunity for members to ask about decisions taken by the Cabinet and individual Cabinet Member. As a compromise, a recommendation was made for the time limit for members questions to be increased from 30 to 45 minutes. The recommendation was not considered at the last full Council meeting as it was felt that more time was required to allow a better understanding of all the issues including the deadline for the publication of agenda papers.

2 Constitution

- 2.1 Procedural Standing Order 8 of Part 4 of the Council Constitution provides for up to 30 minutes for written and urgent questions from members of the public at each ordinary meeting of the Council (excluding the first annual meeting of a new Council). Members of the public are defined as people who live or work in Gloucestershire or who are affected by the work of the Council
- 2.2 The question must relate to the powers and duties of the Council and a written copy needs to be delivered to the Chief Executive by 10.00am four clear working days before the date of the meeting. For a Council meeting on a Wednesday that means that the deadline for public questions is 10am on the Wednesday in the week before the meeting.
- 2.3 In addition, the Constitution allows a member of the public to ask an urgent question which the Chair of Council considers could not have been reasonably submitted by the deadline for the receipt of written questions, providing that they give notice of the question by 12 noon the day before the meeting.

- 2.4 Procedural Standing Order 9 provides for up to 30 minutes for questions from county councillors at each ordinary meeting of the Council (excluding the first annual meeting of a new Council). Questions may be asked on any matter within the powers and duties of the Council or which affect the county. As with public questions, a written copy of the question must be delivered to the Chief Executive by 10am four clear working days before the date of the meeting.
- 2.5 Urgent member questions are subject to the following requirements:
- It is a matter which the Chair decides is urgent
 - The county councillor to whom the question is addressed has agreed
 - Notification of the question has been given to the Chief Executive at least half an hour before the scheduled start of the meeting.
- 2.6 The same rules apply to all committees of the Council, except Scrutiny Committees, though in practice it is rare for questions to be submitted.
- 2.7 Cabinet Procedural Standing Order 9 in Part 4 of the Constitution provides for up to 30 minutes to be aside at each meeting of the Cabinet for written questions from members of the public and county councillors. The questions must relate to the items on the Cabinet agenda and a written copy needs to be delivered to the Chief Executive by 4pm three clear working days before the date of the meeting. For a Cabinet meeting on a Wednesday that means that the deadline for public questions is 4pm on the Thursday in the week before the meeting.
- 2.8 An urgent written question may be asked by a member of the public about any item on the Cabinet agenda for that meeting, which the Chair considers could not have been reasonably submitted by the deadline for the receipt of written questions, provided that they give notice of the question to the Chief Executive by 12 noon the day before the meeting.
- 2.9 Under the Access to Information Regulations, the agenda and related reports for formal Council meetings (including full Council, Cabinet and committees) must be published at least five clear working days before the day of the meeting. For a Council meeting on a Wednesday that means that the agenda papers must be published no later than the Tuesday in the week before the meeting.
- 2.10 The timescale is tight for providing answers to questions but every effort is made to publish them and send them to questioners the day before the meeting. We aim to do this no later than 5pm.

3 Issues for consideration

- 3.1 There have been an increasing number of public and councillor questions submitted to full Council and Cabinet meetings and this has put a great deal of pressure on Council officers in compiling responses in time for the meeting. The number of questions is often heavily skewed towards one or two areas of the business. An increase in the number of days' notice, if only by one or two days, would lessen the pressure on Council officers.
- 3.2 It is anticipated that members will be concerned that such a change would make it more difficult for the public and councillors to ask questions directly in response to an item on the agenda because the deadline for questions could fall before the publication of papers. It is suggested that, under those circumstances, the conditions for allowing an urgent question would apply. If the committee is minded to introduce this change, the relevant Procedural Standing Orders could be amended to clarify that point.

4 Recommendation

Members of the committee are asked to consider whether they wish to extend the notice period for questions at particular meetings, and if so, by how many days.

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