

Special Regulatory & Appeals Committee Minutes

Date: 7 December 2015

Time: 7.00 - 7.28 pm

PRESENT: Councillor J A Savage (in the Chair)

Councillors Ms A Baughan, S Broadbent, Mrs L M Clarke OBE, C Etholen and M Hussain JP, R Farmer, A R Green, I L McEnnis and R Raja

13 APOLOGIES FOR ABSENCE

Apologies for absence were received from M C Appleyard, A D Collingwood, R Gaffney, D Knights and B Pearce.

14 DECLARATIONS OF INTEREST

No declarations of interest were received.

15 QUESTIONS AT FULL COUNCIL AND PETITIONS SCHEME

A report was submitted which requested approval for the proposed amendments from the Leader of the Council to a number of Standing Orders within the Constitution. These related to an alteration in the deadlines for Public and Members` questions, a change to the order for taking Members` questions and an amendment to the rule concerning when a question could be rejected within a six month period. The report also sought to incorporate within the Standing Orders, additional clarification with regards to the Council`s Petition Scheme.

The amendments were set out in paragraphs 11, 14, 16, 18 and 20 of the report, which if endorsed by Full Council, would be incorporated within the Council`s Standing Orders within the Constitution.

The report stated that the current deadline for public and Member questions to be submitted to Full Council was 3 clear days before the meeting was due to take place. At the present time Standing Orders stated that questions were to be received no later than 12 noon on the Thursday prior to the Monday meeting. The proposal was now to extend the deadline for submission to 5 clear days before the meeting.

The report also proposed an amendment in relation to the order of Members` questions, which currently allowed for one initial leader`s questions from each of the political parties, and the rest to be taken in the order in which they were received. It was proposed that the questions continue to be taken first from the Group Leaders but that the first question from other Councillors be asked before any subsequent

questions from the same Councillor was taken. As such no Member would be allowed to ask consecutive questions.

A change was also sought with regards to the current provision of rejecting questions which were substantially the same as a question which had been put to a Council meeting during the past six months. It was now proposed that this be rejected if it was on the same topic as that which had been brought during the past six months.

The report proposed a further amendment in relation to the wording of the Petitions Scheme. Standing Order 9.6 (2) currently stated that the names, addresses and signatures of at least 10 people supporting the petition should be included within a petition. The proposal before Members was to consider whether it should become a requirement for those 10 people to reside, work or study within the District in order for them to be eligible for their names to be included within the petition.

Members considered the report before them in detail. Regarding the deadline for questions, some Members indicated that the current 3 day deadline was adequate, and saw no valid reason for altering the deadline to 5 days prior to the meeting for submission of questions. It was felt that Cabinet Members for their relevant area of responsibility should comfortably be able to answer the given question without the need for any additional time. Other Members disagreed with this viewpoint stating that the proposed extended deadline would assist in alleviating the pressure on both the officers and Members to ensure that a high quality comprehensive response was able to be constructed. As such the proposed extension was viewed as a beneficial amendment for all concerned.

Upon a vote being taken, the proposed amendment to Standing Orders 10 and 11 were agreed by the majority.

Discussion then followed on the order of questions to be taken by Members at Council, referred to in Standing Order 11.3 (b) of the Constitution. There was general agreement over the proposal to continue to allow questions from Group Leaders in the first instance but then to take questions from other Members, prior to accepting any second question from any Member.

Members sought further clarification on the definition of adopting another Member's question as set out in the wording, and requested that this should expressly state that it referred to a member of the same group as the relevant Group Leader

The discussion then turned to Standing Order 11.3 (e) which related to similar questions asked at Council within a 6 month period. Overall Members expressed reservations over the proposal, stating that the definition of the `same topic` was too broad, and needed to be narrowed down. Although Members understood and appreciated the spirit of the proposal it was suggested that rejection of the question should be at the Chairman's discretion and which should also be reflected within the Standing Order providing clarity as to where the authority lay. As such it was agreed that the existing order should remain in place, but reworded to read: **The Chairman may reject a question** if it is substantially the same question that was put to a council meeting during the past six months. The final part of the discussion

was in relation to the Council's Petition Scheme. Members agreed with the proposal to include the requirement for signatories of a petition to live, work or study within the Wycombe District.

RECOMMENDED: That (i)

a) Standing Order 10 (Public Speaking) Section 2 be amended to read as follows:

"Questions must be submitted in writing to the Head of Democratic, Legal and Policy Services not later than 12 noon, 5 working days before the Full Council meeting."

b) Standing Order 11 (Member Questions) Section 2(a) be amended to read as follows:

"at any Council meeting, a Member may ask the Leader, or a Cabinet Member, or a Chairman of a Committee any question upon any matter in relation to which the Council has powers or duties or which affects the District, subject to notice being given in writing to the Head of Democratic, Legal and Policy Services no later than 12 noon, 5 working days before the Full Council meeting."

c) Standing Order 11.3 (b) (Order of Member Questions) be amended to read as follows:

"Questions shall be taken first from the Group Leaders of the political parties who shall be entitled to ask one initial Leader's question each, including the right to adopt another Member's question from his/her Group, subject to the Code of Conduct for Members and to that Member's consent of which written notice shall have been given to the Head of Democratic, Legal and Policy Services prior to the meeting. The order of questions shall then permit the first question from each other Councillor to be asked before any subsequent questions from the same Councillor. One question will be taken in turn from each Councillor and there shall be no consecutive questions from the same Councillor unless there are no other questions to be asked."

d) Standing Order 11.3 (e) (Similar Questions Asked within a 6 Month Period) be amended to read as follows:

"The Chairman may reject a question if it is substantially the same as a question that was put to a Council meeting during the past six months."

e) Standing Order 9.6 (Council Petitions Scheme) be amended to read as follows:

The names and address and signature of at least 10 people supporting the petition who live, work or study in the District.

(ii) The Democratic Services Manager be authorised to make the amendments set out above.

Chairman

The following officers were in attendance at the meeting:

- Ian Hunt - Democratic Services Manager
- Iram Malik - Democratic Services Officer