

PROPOSED CONSTITUTION AMENDMENTS - STANDING ORDERS – QUESTIONS AT FULL COUNCIL & PETITIONS SCHEME

Officer contact: Ian Hunt

Democratic Services Manager

DDI: 01494 421208

Email: ian_hunt@wycombe.gov.uk

Wards affected: None directly

PROPOSED RECOMMENDATIONS TO COUNCIL:

That

- a) the proposed amendments to Standing Orders relating to the deadline for questions at Full Council meetings and the Council's Petitions Scheme, as set out in paragraphs 11, 14, 16, 18 & 20 be agreed, and be incorporated into the Council's Standing Orders within the Constitution.
- b) the Democratic Services Manager be authorised to make the amendments set out above.

Corporate Implications

1. Changes to the Constitution are made by Council, following recommendation from this Committee or Cabinet or another committee if appropriate. There are no financial implications arising from this report.
2. The proposals set out within this report aim to aid the flow of Full Council meetings, specifically relating to questions and also bring clarity to the Council's Petitions Scheme.

Executive Summary

3. This report sets out proposed amendments to the Council's Constitution, specifically relating to member questions at Full Council meetings, together with clarifying the Council's Petitions Scheme.

Background and Issues

4. Currently, Standing Orders within the Council's Constitution state that the deadline for both public and member questions be submitted for Full Council meetings shall be no later than 12 noon on the Thursday before the appropriate Monday Council meeting, or if the meeting takes place on another day, not later than 3 clear days before the meeting is due to take place.
5. The Leader of the Council has requested that this deadline should be reviewed in order to ensure there is additional time between the deadline and the Full Council meeting for questions to be considered and answers provided. It is proposed that the deadline for both public and member questions be amended to provide for questions to be submitted by no later than 12 noon 5 working days before the Full Council meeting. For example, the Monday Council meeting, this would result in the deadline being the Monday before.
6. In relation to member questions, Standing Orders stipulate that the order of 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. Other questions are then taken in the order they are received. The Leader of the Council has requested that the order continues to enable questions to be taken first from Group Leaders of the political parties (one each), but then the order should be that the first question from other Councillors are then asked before any subsequent questions from the same Councillor are taken. In summary, no member would have consecutive questions, unless there were no other questions being asked by other Councillors. This clarifies the order in which questions are taken, as currently, Standing Orders are not explicit on how to deal with multiple questions from the same Councillor.

7. Standing Orders also state that a question may be rejected if it is substantially the same as a question that was put to a Council meeting during the past six months. It is also proposed to simplify the wording as there have been occasions when a question has been submitted on the same topic, however not substantially the same.
8. The Council's Petitions Scheme also forms part of Standing Orders. The Scheme does not currently specify that signatories within a petition should either live, work or study in the District. Therefore, petitions currently submitted to the Council could contain signatories of individuals who live elsewhere in the country. The Leader of the Council has requested that the petition scheme is amended to specify that signatories must be from people living, working, or studying within the District.

Proposals

Questions Deadline

9. Standing Order 10 relates to Public Speaking.
10. Section 2 currently states that "questions must be submitted in writing to the Head of Democratic, Legal and Policy Services not later than 12 noon on the Thursday of the week preceding the Monday Council meeting, or if the meeting takes place on another day, not later than 3 clear days before the meeting is due to take place."
11. It is **recommended** that this wording 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".
12. Standing Order 11 relates to Member Questions.
13. Section 2 (a) states that "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 on Thursday before the appropriate Monday Council meeting, or if the meeting takes place on another day, not later than 3 clear days before the meeting is due to take place."
14. It is **recommended** that this 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.”

Order of Member Questions

15. Standing Order 11.3 (b) currently states that “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, 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. Other questioners shall be identified prior to the meeting in accordance with such procedure as may be determined from time to time”.

16. It is **recommended** that this 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, 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.”

Similar Questions Asked Within 6 Month Period

17. Standing Order 11.3 (e) currently states that “a question may be rejected if it is substantially the same as a question that was put to a Council meeting during the past six months.”

18. It is **recommended** that this be amended to read as follows:

“A question may be rejected if it is on the same topic that was put to a Council meeting during the past six months.”

Council Petitions Scheme

19. Standing Order 9.6 lists out what must be included in a petition submitted to the Council. The second bullet point currently states that “the names and address and signature of at least 10 people supporting the petition”.

20. It is **recommended** that the words “who live, work or study within the District” should be added to the above bullet point 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.”

Next steps

21. The recommendations from the Committee will be considered by Full Council at their next meeting on 14 December 2015.

Background Papers

22. Standing Orders – Council's Constitution.