

Central  
Bedfordshire  
Council  
Priory House  
Monks Walk  
Chicksands,  
Shefford SG17 5TQ



**TO ALL MEMBERS OF THE GENERAL PURPOSES COMMITTEE**

22 January 2013

Dear Councillor

**GENERAL PURPOSES COMMITTEE – MONDAY, 28 JANUARY 2013**

Further to the agenda and papers for the above meeting, previously circulated, please find attached the following report which was marked to follow:-

**7. Open Questions at Council - Special Provision for Leaders of Opposition Groups**

To consider amending the Council's Constitution to permit Opposition Group Leaders to ask one Open Question each at the beginning of the Open Questions item at Council meetings.

Should you have any queries regarding the above please contact me.

Yours sincerely

Leslie Manning  
Committee Services Officer

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**Meeting:** General Purposes Committee  
**Date:** 28 January 2013  
**Subject:** Open Questions at Council - Special Provision for Leaders of Opposition Groups  
**Report of:** Head of Legal and Democratic Services  
**Summary:** The report seeks the General Purposes Committee's views on amending the Constitution to give special provision to Opposition Group Leaders for Open Questions at Council meetings.

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**Advising Officer:** John Atkinson, Monitoring Officer  
**Contact Officer:** Mel Peaston, Committee Services Manager  
**Public/Exempt:** Public  
**Wards Affected:** none  
**Function of:** General Purposes Committee/Council

#### **CORPORATE IMPLICATIONS**

##### **Council Priorities:**

This proposal supports the Central Bedfordshire Council priority of providing value for money, through efficient processes.

##### **Financial**

1. None

##### **Legal**

2. The Constitution sets out how the Council will conduct its business. It is the responsibility of General Purposes Committee to make recommendations to Council on any proposed significant changes to the Constitution.

##### **Risk Management**

3. None

##### **Staffing (including Trades Unions)**

4. Not Applicable

##### **Equalities/Human Rights**

5. There are no human rights/equalities implications.

##### **Public Health**

6. None

**Community Safety**

7. None

**Sustainability**

8. None

**Procurement**

9. None

**RECOMMENDATION:**

**that the General Purposes Committee consider making a recommendation to Council to amend the Constitution as set out in Appendix A to provide for the Opposition Group Leaders to ask one Open Question each before other Council members may put Open Questions at meetings of Council.**

**Summary**

10. The Leader of the Independent Group, Councillor Murray, has asked that the Leaders of the Opposition Groups each be permitted to put one Open Question at the beginning of the Open Questions item at Council meetings. The Committee is asked to consider this request. If concurred with, it is suggested that a recommendation is made to Council to approve amendments to the Constitution to enable this provision.

**Proposal**

11. Councillor Murray, Leader of the Independent Group, has experienced the situation that when the Open Question time period is concluded, due to the random nature of the process, the questions which remain may include one of his own which he considered more important than the others which were answered.
12. Cllr Murray holds the view that as the majority Group on the Council has the opportunity to make points through the Executive Member Updates at each Council meeting, it would be fair that the Opposition Group Leaders should have the opportunity to put an Open Question each before further Open Questions are selected at random. He has therefore asked for this to be considered.

### **Written Questions**

13. There is provision in the Constitution for written questions for Council meetings, each of which is addressed subject to the time limit (see paragraph 14 below). Seven clear days notice is required although when the question relates to urgent matters and the consent of the Chairman of the Council has been secured, so long as the content of the question has been given to the Monitoring Officer by 09.00am on the day of the meeting, the seven clear days requirement can be waived (Part B5 paragraph 13.3 refers).
14. The time limit for questions on notice is 15 minutes, subject to the Chairman's discretion to extend this period (Part B5 paragraph 13.6.1 refers).

### **Amendment to the Constitution**

15. The aim detailed above could be achieved by amending the Constitution to provide for each Leader of an Opposition Group to put one Open Question first before other Council members do so. Suggested amendments are set out in **Appendix A**.
16. Such questions would not be placed in the box with the other Open Questions but should be provided in writing to the Committee Services Officer no later than the point of being put, to enable an accurate record.
17. The Committee may wish to consider whether it would be appropriate to require such questions to be provided in writing to the Committee Services Officer at least 5 minutes before the start of the meeting in line with the timescale for other Open Questions, or simply to be handed to the Committee Services Officer immediately prior to the question being put.

### **Consultation**

18. The Leader of the Council has indicated that he has no objection to complying with the Independent Group Leader's request.

### **Conclusion and Next Steps**

19. The Committee is asked to consider this matter and determine the appropriate way forward.

### **Appendices:**

Appendix A – Proposed amendment to Part B5 of the Constitution

### **Background Papers:**

None

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## 13.7 Open Questions

### 13.7.1 Questions and Procedure

- 13.7.1.1 At each ordinary meeting of the Council (excluding the annual or any extraordinary meeting) there shall be a period of no longer than 30 minutes for open questions, which shall be questions of the Leader, Deputy Leader and Executive Members, and the chairman of any committee, subject to the following guidelines:-
- 13.7.1.2 Questions:-
- 13.7.1.2.1 must be relevant to matters for which the Council has powers or duties or matters that affect Central Bedfordshire or its residents;
  - 13.7.1.2.2 must not relate to an item which is included elsewhere on the Council agenda since they can be raised at that point in the meeting;
  - 13.7.1.2.3 must be capable of eliciting a response (ie must not be a statement);
  - 13.7.1.2.4 should not exceed two minutes in length.
- 13.7.1.3 Questions should not:-
- 13.7.1.3.1 be incapable of being adequately answered in three minutes;
  - 13.7.1.3.2 divulge or require to be divulged confidential or exempt information.
- 13.7.1.4 The conduct of open question time shall be regulated by the Chairman of the Council having regard to the above guidelines.
- 13.7.1.5 Any Member wishing to put an open question should put his/her name on the relevant pro forma and place it in the appropriate receptacle not less than 5 minutes before the start of the meeting. Names will be drawn at random by the Chairman during the question time session lasting up to 30 minutes.

13.7.1.6 Immediately prior to questions being drawn from the receptacle, Opposition Group Leaders may each ask 1 open question, provided that it has been given in writing to the Committee Services Officer clerking the Council meeting by the time that it is put at the meeting.

### 13.7.2 Response

13.7.2.1 An answer to an open question may take the form of:-

13.7.2.1.1 a direct oral answer of up to a maximum of three minutes duration;

13.7.2.1.2 where the desired information is in a publication of the Council or other published work, a reference to that publication; or

13.7.2.1.3 where the reply cannot conveniently be given orally, a written answer will be circulated later to the questioner and made available to all members of the Council and the public.

### 13.7.3 Supplementary Question

13.7.3.1 A member asking an open question under Rule 13.7.1 may ask one supplementary question, 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 and should not exceed two minutes in length.