
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.

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