

COMPARISON OF COUNCIL PROCEDURE RULES AS THEY RELATE TO THE ABILITY OF MEMBERS TO ASK QUESTIONS WITHOUT NOTICE ON EXECUTIVE AND COMMITTEE REPORTS OR MINUTES

| COUNCIL                | Council Procedure Rules   | WHAT HAPPENS IN PRACTICE  |
|------------------------|---|---|
| (Modular Constitution) | <p>A) <i>(items of business at ordinary meetings)</i></p> <p><i>“receive reports from the executive and the Councils committees and receive questions and answers on any of these reports”</i></p> <p>B) <i>(Questions by members on reports of the executive or committees)</i></p> <p><i>“A Member of the Council may ask the leader or the chairman of a committee any question without notice upon an item of the report of executive or a committee when that item is being received or under consideration by the Council.”</i></p>   | N/A   |
| Thanet District        | <p>A) CPR 2.1(vii), which <b>does not make provision for questions and answers</b> ,states:</p> <p><i>“receive reports from the Cabinet Leader, members of the Cabinet and the Council’s Committees etc”</i></p> <p>B) CPR 14.1 <b>restricts questions to Members’ speeches</b>. Wording is:</p> <p><i>“A member of the Council <u>may during his or her speech</u> ask the Leader or Chairman of a committee any question without notice upon an item of the report of the Cabinet or a Committee when that item is being received or under consideration by the Council.”</i></p> | <p>Council receives officers’ reports containing executive and committee recommendations, <u>not</u> minutes:</p> <p>Not customary for questions without notice to be asked by Members during their speeches.</p>     |
| Shepway District       | <p>A) Same as modular</p> <p>B) Same as modular, except with addition of the words, “relevant Cabinet Councillor”, as follows-</p> <p><i>“A councillor may ask the leader <u>or relevant Cabinet Councillor</u> or Chairman of a committee any question without notice upon an item of the report of the Cabinet or a committee when that item is being received or under consideration by the Council.”</i></p>  | <p>Council receives officers’ reports with executive and committee recommendations to Council, <u>not</u> minutes</p> <p>Members’ questions without notice not evidenced in the minutes of full council meetings.</p> |

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| Dover District         | <p>A) Significantly different from the modular rule in that questions are qualified as being on “written notice”:</p> <p><i>“receive questions (on written notice) from members of the Council to the Leader and members of the Cabinet”</i></p> <p><i>“receive questions (on written notice) from members of the Council to chairmen or vice-chairmen of overview and scrutiny committees and chairmen or vice-chairmen of other committees of the Council.”</i></p> <p>B) There is no corresponding clause on questions on reports without notice.</p> | <p>Receives officers’ reports with recommendations, <u>not</u> minutes.</p> <p>Questions without notice on reports not provided for in the constitution.</p>  |
| Canterbury City        | <p>A) Rules refer to recommendations rather than reports:</p> <p><i>“receive <u>recommendations</u> from the Executive, and receive questions and answers on any of these <u>recommendations</u>.”</i></p> <p><i>“receive <u>recommendations</u> from the council’s committees and receive questions and answers on any of these <u>recommendations</u>.”</i></p> <p>B) Same as modular, with the minor exception of “Chairman” being substituted by, “chair”.</p>   | <p>Minutes of executive, overview &amp; scrutiny and committees received at full council meetings</p> <p>Recommendations contained within the minutes are for approval, and thus subject to debate.</p> <p>Resolutions on delegated matters recorded in minutes for receiving and noting.</p> <p>Members’ questions without notice on both recommendations and resolutions evidenced in minutes</p> |
| Ashford Borough        | <p>A) Same as modular rule</p> <p>B) Wider scope for questions without notice than provided for within the modular rulez</p> <p>“A Member may ask the Leader, Member(s) of the Cabinet (Executive) or the Chairman of any Committee, or Sub-Committee any question on</p> <p>(i) Any matter then under consideration by the Council (without written notice) ...”</p>  | As for Canterbury above.  |