

CONSTITUTIONAL REVIEW WORKING PARTY

Minutes of the meeting held on 23 February 2021 at 5.00 pm by Video Conference.

Present: Mr Peter Tucker (Chairman); Mr Wellbrook, Councillors Hopkinson, Cllr Rev. S Piper, Tomlinson and Hart.

128. APOLOGIES FOR ABSENCE

There were no apologies for absence.

129. DECLARATIONS OF INTEREST

There were no declarations of interest.

130. MINUTES OF PREVIOUS MEETING

Minutes of the CRWP meeting held on 5 November 2020 were approved.

131. FULL COUNCIL QUESTIONS FROM MEMBERS OF THE PUBLIC AND COUNCILLORS

Nicholas Hughes, Committee Services Manager, outlined the report. He explained that as the CRWP had already extensively discussed and made recommendations on the changes to the questions word limit, he would not be raising that issue at the meeting.

Members then discussed the report and raised the following points during discussion:

- Giving the opportunity to come back to an answer could give rise to persons damaging the reputation of the authority and/or putting councillors in a compromising position.
- That the ability to ask a supplementary question can be seen as a significant democratic principle; facilitating follow-up discussion and giving the same right of return to the public as to councillors.
- The existing time limit for all questions to council means that adding supplementary questions would not affect any other business.
- The intent of a follow-up question may be more negative than councillors would like, however, there are 2 filtering processes - CEx approval of the initial question and the Chair's role within the meeting.
- Concern was raised that the procedure for rejecting a question lies with one person (the CEx).
- Councillors were keen to remind the public that questions can be put to councillors or officers anytime, outside of full council, and that Democratic Services can help the public compose a question for council if desired.

The Committee Services Manager and Estelle Culligan, Director of Law and Democracy, made the following points in response:

- Reasons for rejecting a question are given and help is offered where practicable to support the public to produce a question which wouldn't be rejected. However the ability to do was often compromised by questioners leaving submission to very near to the deadline.
- It would be possible to add a second opinion to rejected questions e.g. In consultation with the Chair, if Councillors choose to recommend that.

- As it stands the CEx will often take advice from the Monitoring Officer or Democratic Services Officer before deciding to reject a question.
- It would be possible to change the Chair's script to explain the questions process at Full Council and advertise this more widely.

Following a vote it was decided not to recommend to the Standards Committee the introduction of an appeals process for rejected questions.

It was proposed, seconded and agreed that the CRWP would recommend to the Standards Committee:

- That the Standards Committee discuss further whether to allow Members of the public to ask supplementary questions.
- That when the Chief Executive considers rejecting a question, they should consult with the Chairman of the Council first.
- That information on the process for submitting questions and the support available is shared at full council and on social media.

Meeting concluded : 5.53 pm