

TEWKESBURY BOROUGH COUNCIL

Report to:	Council
Date of Meeting:	20 June 2023
Subject:	Council Constitution – Amendment to Rule of Procedure 13.2 – Member Questions to Council
Report of:	Head of Democratic Services
Head of Service/Director:	Head of Democratic Services
Lead Member:	Lead Member for Corporate Governance
Number of Appendices:	None

Executive Summary:

The Council's Rules of Procedure in relation to Member Questions state that questions from Members must be submitted by 10am on the working day immediately preceding the day of the meeting and that replies will be printed and circulated at least 30 minutes before the start of the Council meeting. An informal agreement has been in place to amend these timings and this report seeks approval to now formally amend the constitution to reflect the informal agreement.

Recommendation:

That Rule of Procedure No. 13.2 – Member Questions to Council be AMENDED as follows: -

Questions to be submitted by 10am six working days before the meeting not including the day of the meeting and replies to be circulated by 5pm on the working day before the meeting.

Financial Implications:

None directly arising from this report.

Legal Implications:

Under Part 1 Article 14 of the Councils Constitution the Corporate Director has a duty to monitor and review the operation of the Constitution to ensure that the aims and principles are given full effect. This includes making recommendations for any amendment to better achieve the Purposes detailed in Article 1 such as enabling decisions to be taken efficiently, effectively and transparently, with due regard to probity and equity. Changes to the Constitution may only be approved by the Council after consideration of a written report by the Corporate Director.

Environmental and Sustainability Implications:

None.

Resource Implications (including impact on equalities):

The suggested amendment will give Officers more time to provide advice on the response to questions. It will also enable Members taking questions to consider those responses and any supplementary questions which may arise from the answers provided.

Safeguarding Implications:

None.

Impact on the Customer:

None.

1.0 INTRODUCTION

- 1.1** Rule of Procedure No. 13.2 deals with questions from Members to Council. The Rule currently states that questions must be submitted in writing by not later than 10am on the working day immediately proceeding the date of the meeting and replies at least 30 minutes before the start of the Council meeting.
- 1.2** During the pandemic Group Leaders reached an informal agreement to vary these times to allow for Members questions to be submitted one week earlier than set out in the Constitution with replies circulated the day before the meeting.

2.0 AMENDING THE CONSTITUTION

- 2.1** The informal agreement of Group Leaders to this change continued to the end of the last term of Council as it worked well for both Members and Officers without any problems being encountered.
- 2.2** Accordingly at a meeting of the Group Leaders on Wednesday 7 June it was agreed to continue with the informal arrangement for the current Council Agenda and amend the Constitution to reflect this arrangement going forward. Some concern was expressed about what would happen if an urgent matter arose in the preceding week to the Council meeting and the deadline for questions had closed. It was advised that provided the matter could be justified as urgent then it could be dealt with under Rule of Procedure No. 26 Urgent Business.

2.3 REVIEW OF THE CONSTITUTION

- 2.4** The Lead Member for Corporate Governance is of the view that this amendment to the Constitution should be reviewed after 12 months. The Lead Member would also like to establish a Working Group with one representative from each Group to undertake a detailed review of the Constitution.

3.0 CONSULTATION

- 3.1** Consultation has been undertaken with the Group Leaders.

4.0 ASSOCIATED RISKS

- 4.1** None.

5.0 MONITORING

5.1 None.

6.0 RELEVANT COUNCIL PLAN PRIORITIES/COUNCIL POLICIES/STRATEGIES

6.1 None.

Background Papers: The Council's Constitution

Contact Officer: Head of Democratic Services
Telephone: 01684 272020 Email: lin.obrien@tewkesbury.gov.uk

Appendices: None.