

**Scrutiny Standing  
Panel Agenda**



**Constitution and Members Services Scrutiny Standing  
Panel  
Tuesday, 18th March, 2014**

You are invited to attend the next meeting of **Constitution and Members Services Scrutiny Standing Panel**, which will be held at:

**Committee Room 1  
on Tuesday, 18th March, 2014  
at 7.00 pm .**

**Glen Chipp  
Chief Executive**

**Democratic Services  
Officer**

M Jenkins - The Office of the Chief Executive  
Tel: 01992 564607  
Email:democraticservices@eppingforestdc.gov.uk

**Members:**

Councillors J Philip (Chairman), A Watts (Vice-Chairman), R Cohen, Mrs R Gadsby, Mrs M McEwen, R Morgan, Mrs C Pond, Mrs M Sartin, D Stallan, Mrs J H Whitehouse and G Waller

**SUBSTITUTE NOMINATION DEADLINE:**

**18:00**

**1. APOLOGIES FOR ABSENCE**

**2. NOTES OF THE LAST MEETING (Pages 5 - 8)**

To agree the notes of the last Panel meeting held on 14 January 2014 (attached).

**3. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)**

(Assistant to the Chief Executive) To report the appointment of any substitute members for the meeting.

**4. DECLARATION OF INTERESTS**

(Assistant to the Chief Executive). To declare interests in any items on the agenda.

In considering whether to declare a personal or a prejudicial interest under the Code of Conduct, Overview & Scrutiny members are asked pay particular attention to paragraph 11 of the Code in addition to the more familiar requirements.

This requires the declaration of a personal and prejudicial interest in any matter before an OS Committee which relates to a decision of or action by another Committee or Sub Committee of the Council, a Joint Committee or Joint Sub Committee in which the Council is involved and of which the Councillor is also a member.

Paragraph 11 does not refer to Cabinet decisions or attendance at an OS meeting purely for the purpose of answering questions or providing information on such a matter.

**5. TERMS OF REFERENCE / WORK PROGRAMME (Pages 9 - 12)**

(Chairman/Lead Officer) The Overview and Scrutiny Committee has agreed the Terms of Reference of this Panel and associated Work Programme. This is attached. The Panel are asked at each meeting to review both documents.

The OSC is about to formulate next years OS work plan incorporating a programme for this Panel. In view of this, the Panel may wish to bring forward suggestions/ideas on topics for inclusion in its work programme for next year.

**6. PETITIONS SCHEME - FURTHER REVIEW (Pages 13 - 30)**

(Assistant to the Chief Executive) To consider the attached report and appendices as follows:

- (a) Report
- (b) Appendix 1 Existing Scheme;
- (c) Appendix 2 Proposed Revision for Discussion; and
- (d) Appendix 3 Petition Scheme Guidance

**7. QUESTIONS AT COUNCIL - REVIEW (Pages 31 - 66)**

(Assistant to the Chief Executive) To consider the attached report and appendices as follows:

- (a) Report;
- (b) Appendix 1 – PICK form;
- (c) Appendix 2 – Extracts from the Constitution;
- (d) Appendix 3 – Other Councils summary;
- (e) Appendix 4 – Report to Council (2006); and
- (f) Appendix 5 – Protocol(2007).

**8. REPORTS TO BE MADE TO THE NEXT MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE**

To consider which reports are ready to be submitted to the Overview and Scrutiny Committee at its next meeting.

**9. FUTURE MEETINGS**

This is the last meeting of the Panel scheduled for this Council year. The first panel meeting for 2014/15 will be on Tuesday 24 June 2014 at 7.00p.m. in Committee Room 1.

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**EPPING FOREST DISTRICT COUNCIL  
NOTES OF A MEETING OF CONSTITUTION AND MEMBERS SERVICES SCRUTINY  
STANDING PANEL  
HELD ON TUESDAY, 14 JANUARY 2014  
IN COMMITTEE ROOM 1  
AT 7.00 - 7.58 PM**

**Members Present:** J Philip (Chairman), A Watts (Vice-Chairman), R Cohen, Mrs M McEwen, R Morgan, Mrs C Pond, Mrs M Sartin, D Stallan and Mrs J H Whitehouse

**Other members present:**

**Apologies for Absence:** Mrs R Gadsby and G Waller

**Officers Present** I Willett (Assistant to the Chief Executive), B Bassington (Chief Internal Auditor), S G Hill (Senior Democratic Services Officer) and M Jenkins (Democratic Services Assistant)

**26. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)**

There were no substitutions made at the meeting.

**27. DECLARATION OF INTERESTS**

There were no declarations of interest made pursuant to the Council's Code of Member Conduct.

**28. NOTES OF THE LAST MEETING**

**RESOLVED:**

That the notes of the last meeting held on 19 November 2013 be agreed.

**29. TERMS OF REFERENCE / WORK PROGRAMME**

**(a) Terms of Reference**

The Terms of Reference were noted.

**(b) Work Programme**

**(i) Item 6 Petitions Scheme**

It was advised that the Petitions Scheme required further review. The scheme would be submitted to the next Panel meeting.

**(ii) Joint Consultative Committee – Terms of Reference and Consultation of Staff**

It was advised that discussions with the staff side regarding a review of the Terms of Reference and membership of the Joint Consultative Committee were continuing, there would be a report to a later meeting.

**(iii) PICK Form – Questions to the Cabinet at Full Council**

A PICK Form had been submitted by the Panel Chairman and the Overview and Scrutiny Committee had delegated it to this Panel. This would be added to the Work Programme for the current year and a report would be submitted to the Panel meeting on 18 March 2014.

**30. REVIEW OF CONTRACT STANDING ORDERS, FINANCIAL REGULATIONS AND OFFICER DELEGATION**

The Panel received a report from the Assistant to the Chief Executive regarding Contract Standing Orders, Financial Regulations and Officer Delegation.

**(a) Annual Review of Contract Standing Orders (CSOs) and Financial Regulations**

The Review of CSOs and Financial Regulations controlled tendering, contract procedures and financial governance.

The Panel reviewed CSOs on a number of suggested changes which had been put forward by the Officer Working Party following an Internal Audit review.

Proposals regarding CSO1 (Pre Tender Arrangements) would be re-submitted to the Panel at a later date at Member's request. The Panel noted that no proposals had come forward in respect of Financial Regulations.

**(b) Officer Delegation**

The Panel also considered schedules of Officer Delegation reflecting changes required to reflect the new Directorate structure approved by the Council on 17 December 2013. Additional changes were reported at the meeting following a review of the draft schedule by Management Board.

**RECOMMENDED:**

- (1) That subject to the proposals regarding CSO1 (Pre Tender Arrangements) being re-submitted to this Panel at a later date the schedule of proposed changes to Contract Standing Orders be approved and recommended to the Leader of the Council (Executive Functions) and the Council (Council Functions) for adoption;
- (2) That alterations to CSOs and Financial Regulations to reflect any changes under the recent Directorate restructuring be delegated to the Assistant to the Chief Executive;
- (3) That alterations to the schedules of Officer Delegation be agreed and recommended to the Overview and Scrutiny Committee and Council prior to publication in the Council's Constitution; and
- (4) That the delegated authorities in respect of the Deputy Monitoring Officer, Deputy Electoral Registration Officer and Deputy RIPA Officer which could not be finalized at present due to pending appointments required under the implementation of the new directorate structure but that once appointments

have been made, the decisions of the Director of Governance and the Chief Executive be added to the schedule.

**31. REPORTS TO BE MADE TO THE NEXT MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE**

There was one report due for submission to the next Overview and Scrutiny Committee namely the review of CSOs, Financial Regulations and Officer Delegation.

**32. FUTURE MEETINGS**

The next meeting of the Panel was scheduled for 18 March 2014.

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## TERMS OF REFERENCE - STANDING PANEL

<b>Title: Constitution and Member Services</b>
<b>Status:</b> Standing Panel
<b>Terms of Reference:</b>  1. To undertake reviews of constitutional, civic, electoral and governance matters and services for members on behalf of the Overview and Scrutiny Committee.  2. To report to the Overview and Scrutiny Committee, the Council and the Cabinet with recommendations on matters allocated to the Panel as appropriate.
<b>Chairman: Councillor J Philip</b>

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## Constitution and Member Services Standing Panel (Chairman – Cllr J Philip)

Item	Report Deadline / Priority	Progress / Comments	Programme of Future Meetings
(1) Review of Essex County Council Elections 2 May 2013	25 June 2013	<b>COMPLETED</b>	25 June 2013; 24 September; 19 November; 14 January 2014; and 18 March
(2) Officer Employment Procedure Rules	25 June 2013	<b>COMPLETED</b>	
(3) Conventions regarding relationships between officers and councillors	25 June 2013	<b>COMPLETED</b>	
(4) Process Review on Appointment of Vice-Chairman of the Council	19 November 2013	<b>COMPLETED</b>	
(5) Review of Licensing	19 November 2013	<b>COMPLETED</b>	
(6) Petitions Scheme	18 March 2014		
(7) Review of Officer Delegation to reflect new Directorate Structure	14 January 2014	<b>COMPLETED</b>	
(8) Review of Financial Regulations	14 January 2014	<b>No items for review</b>	
(9) Review of Contract Standing Orders	14 January 2014	<b>COMPLETED</b>	
(10) Review of Polling Stations	July 2014	<b>This item will be discussed in next year's Work Programme</b>	
(11) Joint Consultative Committee – Terms of Reference and Constitution regarding representation for non-union staff	TBA		
(12) Questions at Council - Review	18 March 2014	<b>PICK form submitted</b>	



## **Report to Constitution and Members Service Scrutiny Standing Panel**



**Date of meeting: 18 March 2014**

# SCRUTINY

**Subject: Petitions Scheme - Review**

**Officer contact for further information: Simon Hill (4249)**



Epping Forest District Council

**Committee Secretary: Mark Jenkins (4607)**

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### **Recommendations/Decisions Required:**

- (1) To consider a redrafted Council's petitions scheme and make recommendations to the Overview and Scrutiny Committee on the following issues:
  - (i) The appropriateness of thresholds for triggering responses;
  - (ii) The provisions related to officer evidence; and
  - (iii) Complaint review;
- (2) To consider public facing information to be published on the Council's website; and
- (3) To recommend changes to the Overview and Scrutiny Committee and Council accordingly.

### **Report:**

1. (Senior Democratic Services Officer) This Panel last considered the Petitions Scheme in September 2012. At that time Members were advised that in December 2010 the Council had approved a new Petitions Scheme which had been required by Government. The Local Democracy, Economic Development and Construction Act 2009 (2009 Act), and subsequent statutory guidance had placed a requirement on the Council to have a scheme which included the introduction of an ePetitions facility through the Council's website by 15 December that year.

2. In the autumn of that year, following the general election earlier that year, the Government withdrew the statutory guidance and gave authorities more scope to define their own scheme. At that time the 2009 Act remained in force. During December 2010 the Government gave notice that provisions of the Localism Act would remove any duty to provide such a system. The Localism Act gained Royal Assent in November 2011. Section 46 of the Localism Act completely repealed the earlier acts provisions including having a petitions scheme.

3. The review in 2012 concluded:

- (i) That an exception be added to the scheme: petitions made during formal Council consultations related to the subject matter of the consultations and that these should be formally referred to that process as appropriate;
- (ii) That officers should redraft the current scheme to provide a customer facing document that focuses on how the Council deals with a petition for placing on the website;
- (iii) That in future, Portfolio Holder reports made to Council include details of the petitions received, together with any Council response; and

(iv) That the Overview and Scrutiny Review Task and Finish Panel be asked to consider how petitions can be better considered by Overview and Scrutiny during their current review.

4. Officers had acknowledged in 2012 that the scheme was poorly written but had been based upon statutory guidance at the time and needed redrafting. This review brings to members a suggested redrafted scheme. This review does not include changes to the scope of the scheme and has been written to reflect the need to differentiate between the need for a scheme that can sit within the Constitution and guidance for those wishing to submit petitions to us.

5. In reviewing the document, officers believe that some sections may require some further attention. The existing version at is attached at Appendix 1, the proposed redraft at Appendix 2.

### **Thresholds**

6. In section (7) of the re-drafted scheme officers have tried to provide clarity on how petitions are dealt with related to the amount of support they receive. No petitions have ever met the threshold for debate at either Overview and Scrutiny or Full Council. Members are asked whether they still believe the thresholds to be correct.

### **Officer Evidence**

7. The original provisions envisaged allowing petitioners to seek officers to report at an Overview and Scrutiny if the petition was supported by at least 1200 people. Experience shows that this type of request has never been made, that petitioners are interested in issues, not their management and this threshold has never been reached.

8. The Overview and Scrutiny Procedure Rules contain provisions to call relevant officers to meetings to question them about services. The recent review also cited received petitions as a source of scrutiny programme requests. This scheme does also include the provision of referring the matter to Overview and Scrutiny in any event. Members are asked to consider this section again. Could it be simplified or removed?

### **Dissatisfied Petitioners**

9. Section (12) of the current scheme provides an opportunity for a petition organiser to seek a review by the Overview and Scrutiny Committee on the process and the adequacy of the response. This is no longer a requirement. Members are asked whether it is still appropriate.

### **Website Guide**

10. Attached at Appendix 3 is the proposed wording of the website guide for submitting petitions for comment and consideration.

11. Members are asked to review the scheme and associated website wording and report to the Overview and Scrutiny Committee accordingly with any changes proposed.

### **Resource implications:**

Budget provision: £6,000 currently held in DDF

Personnel: from existing personnel

Land: none

Relevant statutory powers: now none

Background papers: petition scheme attached

Environmental/Human Rights Act/Crime and Disorder Act Implications: From the scheme itself none

Key Decision reference: (if required) not a key decision.

# Existing Scheme

## Operational Standing Orders - Non-Executive Bodies (S.O.12)

### Petition Scheme – Epping Forest District Council

#### 1. Introduction

Epping Forest District Council recognises the importance of petitions as a means of engaging more meaningfully with local communities, enabling the public to let us know about their concerns and as a mechanism for generating service improvements.

This Protocol sets out how the public can submit a petition, how it will be dealt with and what the Council can do to respond to the issues raised.

#### 2. How to submit a petition

We accept paper based petitions, e-petitions or a mix of paper and e-petitions.

**Paper** petitions can be sent to:

Assistant to the Chief Executive  
Epping Forest District Council  
Civic Offices  
High Street  
Epping, Essex  
CM16 4BZ

Or **e-Petitions** can be created, signed and submitted online by following this link to our e-petitions system [www.eppingforestdc.gov.uk/petitions](http://www.eppingforestdc.gov.uk/petitions).

All petitions sent or presented to the Council will receive an acknowledgement from the Council within 10 working days of receipt. This acknowledgement will set out what we plan to do with the petition. We will treat something as a petition if it is identified as being a petition, or if it seems to us that it is intended to be a petition.

#### 3. Exceptions to Petitions

The following are examples of petitions that do not fall within the scope of this petitions scheme:

- (a) We do not accept emailed petitions as email systems are not secure. You must use either paper or our e-petitions system.
- (b) Petitions which are considered to be vexatious, abusive, anonymous or otherwise inappropriate will not be accepted. In the period immediately before an election or referendum we may need to deal with your petition differently – if this is the case we will explain the reasons and discuss the revised timescale which will apply.

- (c) We do not accept Petitions relating to a planning decision; (as the Planning application process deals with objections to applications), including about a development plan document or the community infrastructure levy.
- (d) We do not accept Petitions relating to a licensing decision; (as the Licensing scheme deals with objections to applications)
- (e) We do not accept Petitions relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal.
- (f) Any matter for which the Standards Committee has powers for determining complaints received under the Local Assessment process.
- (g) Any complaint made against an employee of the District Council.
- (h) Any matter which is substantially the same as a petition submitted in the previous 12 months.
- (i) Where the subject matter is subject to ongoing legal proceedings.

Where a petition submitted relates to one of the categories set out above the Council will write to the lead petitioner and explain why the matter is not covered by the authority's Petitions Scheme. In appropriate circumstances, the Council may advise how the public views can be considered via alternative means.

#### **4. What are the guidelines for submitting a petition?**

Petitions submitted to the Council must include:

- a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the Council to take.
- the name and address and signature of any person supporting the petition.
- contact details, including an address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition.

The contact details of the petition organiser will not be placed on the website. If the petition does not identify a petition organiser, we will contact signatories to the petition to agree who should act as the petition organiser.

#### **5. Who can sign a petition?**

Anyone who lives, works or studies in Epping Forest District can sign to support a petition including those under 18. The Council may ask for a valid email address and/or postcode if you sign an e-Petition on the Council's website. For paper petitions signatories must provide their signature, name and address.

#### **6. What will the Council do when it receives my petition?**

If the Petition is submitted fully completed, an acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will let them know what we plan to do with the petition and when they can expect to hear from us again. It will also be published on our website.



If the petitioner contacts the Council to start an e-Petition, then the Council and the Lead Petitioner will agree the period over which signatures will be collected and to agree the final wording of the petition. The petition will then be available to sign 'electronically' for the agreed period on the Council's website. On the expiration of that time, the Council will respond in accordance with Section 7 below.

If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed.

If the petition has enough signatures to trigger a Council debate, or a Senior Officer giving evidence, then the acknowledgment will confirm this and tell you when and where the meeting will take place.

If the petition needs more investigation, we will tell you the steps we plan to take.

If the petition applies to a planning or licensing application, is a statutory petition (for example requesting a referendum on having an elected mayor), or on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, other procedures apply. We will advise you if this is the case and on the correct procedure to be followed.

We will not take action on any petition which we consider to be vexatious, abusive or otherwise inappropriate and will explain the reasons for this in our acknowledgement of the petition.

To ensure that people know what we are doing in response to the petitions we receive the details of all the petitions submitted to us will be published on our website, except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed). When you sign an e-petition you can elect to receive this information by email. We will not send you anything which is not relevant to the e-petition you have signed, unless you choose to receive other emails from us.

## **7. How will the Council respond to petitions?**

If your petition receives 2400 signatures or more it will also be scheduled for a council debate and if this is the case we will let you know whether this will happen

Correspondence with fewer than 20 signatures shall normally be dealt with by the appropriate Service as ordinary correspondence, unless the Service Director concerned is of the opinion that the subject matter is sufficiently important or contentious to warrant referring the matter to the appropriate Portfolio Holder.

Petitions with fewer than 2400 signatures will be considered and dealt with by the relevant portfolio holder who may:

- (a) take action if he or she has delegated powers to act alone;
- (b) refer the matter to the Cabinet or a Sub-Committee of the Cabinet for decision.

All decisions made by the Portfolio Holder will be recorded in writing and signed in the format prescribed in the Key Decision Regulations and notified to the public, the lead petitioner and all members of the Council.

In cases where a petition is received after a decision has been made by the Council on any matter, the following steps will be taken by the Service Director unless the petition meets the threshold for a Council debate:

- (a) a letter of acknowledgement shall be sent, including a statement of the action already taken by the Council;
- (b) in consultation with the appropriate Portfolio Holder, Committee or Sub-Committee Chairman a decision will be taken as to whether the petition raises new evidence requiring further consideration by the Portfolio Holder or Committee concerned;
- (c) if it is decided that no new matters are raised by the petition, the petitioners shall be advised accordingly;
- (d) if new matters are raised then the petition will be treated as new under this scheme.

Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- taking the action requested in the petition
- considering the petition at a Council meeting
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- referring the petition for consideration by the Council's Overview and Scrutiny Committee<sup>1</sup> or to the Cabinet or a Cabinet Committee
- writing to the petition organiser setting out our views about the request in the petition

In addition to these steps, the Council will consider all the specific actions it can potentially take on the issues highlighted in a petition.

If your petition is about something over which the Council has no direct control (for example healthcare or transport) we will consider making representations on behalf of the community to the relevant body. Should a petition calling for support call for something that goes against stated Council policy, the District Council may choose to say 'no' to the request.

The Council works with a large number of local partners and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with Council policy), then we will set out the reasons for this to you.

You can find more information on the services for which the Council is responsible on the Council's website.

If your petition is about something that a different council is responsible for we will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other council, but could involve other steps. In any event we will always notify you of the action we have taken.

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<sup>1</sup> Overview and Scrutiny Committees are committees of councillors who are responsible for scrutinising the work of the council – in other words, the Overview and Scrutiny Committee has the power to hold the Council's decision makers to account.

## **8. Full Council debates**

If a petition contains more than 2400 signatures it will be debated by the full Council unless it is a petition asking for a senior council officer to give evidence at a public meeting.

This means that the issue raised in the petition will be discussed at a meeting which all councillors can attend. The Council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting. The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by councillors for a maximum of 15 minutes.

The Council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by the Cabinet or a relevant Cabinet committee.

Where the issue is one on which the Council executive are required to make the final decision (i.e. within the financial and policy framework), the Council will decide whether to make recommendations to inform that decision. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

## **9. Officer evidence**

Your petition may ask for a Senior Officer<sup>2</sup> to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example, your petition may ask a Senior Officer to explain progress on an issue, or to explain the advice given to elected members to enable them to make a particular decision.

If your petition contains at least 1200 signatures, the relevant Senior Officer will give evidence at a public meeting of the Council's Overview and Scrutiny Committee or if appropriate one its Panels.

You should be aware that the Overview and Scrutiny Committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance if the named officer has changed jobs. The committee may also decide to call the relevant councillor to attend the meeting. Committee members will ask the questions at this meeting, but you will be able to suggest questions to the chair of the committee by contacting Democratic Services up to three working days before the meeting. You will be informed when and where this meeting will take place.

## **10. E-petitions**

The Council accepts only e-petitions which are created and submitted through our website. E-petitions must follow the same guidelines as paper petitions

The petition organiser will need to provide us with their name, postal address and email address and contact details. You will also need to decide how long you would like your petition to be open for signatures. Most petitions run for six months, but you can choose a shorter or longer timeframe, up to a maximum of 6 months.

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<sup>2</sup> For the purpose of this Scheme Senior Officer means Chief Executive, Deputy Chief Executive, Service Director or Assistant Service Director

When you create an e-petition, it may take 10 working days before it is published online. This is because we have to check that the content of your petition is suitable before it is made available for signature.

If we feel we cannot publish your petition for some reason, we will contact you within this time to explain. Our reasons for not publishing a petition will be linked to the exceptions section above. You will be able to change and resubmit your petition if you wish. If you do not do this within 10 working days, a summary of the petition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the website.

When an e-petition has closed for signature, it will automatically be submitted to either the relevant officer, portfolio holder or Council. In the same way as a paper petition, you will receive an acknowledgement within 10 working days.

#### **11. How do I 'sign' an e-petition?**

You can see all the e-petitions currently available for signature on the Council's website. When you sign an e-petition you will be asked to provide your name, your postcode and a valid email address. When you have submitted this information you will be sent an email to the email address you have provided. This email will include a link which you must click on in order to confirm the email address is valid. Once this step is complete your 'signature' will be added to the petition.

People visiting the e-petition will be able to see your name in the list of those who have signed it but your contact details will not be visible.

#### **12. What can I do if I feel my petition has not been dealt with properly?**

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the Council's Overview and Scrutiny Committee review the steps that the Council has taken in response to your petition. It is helpful to everyone, and can improve the prospects for a review if the petition organiser gives a short explanation of the reasons why the Council's response is not considered to be adequate.

The Committee will endeavour to consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting. Should the Committee determine we have not dealt with your petition adequately, it may use any of its powers to deal with the matter.

These powers include instigating an investigation, making recommendations to the Council or Executive and arranging for the matter to be considered at a meeting of the full Council. Once the appeal has been considered the petition organiser will be informed of the results within 5 working days. The results of the review will also be published on our website.

## Proposed revision for discussion

### Petition Scheme – Epping Forest District Council

#### 1. Definition

1.1 For the purpose of this procedure a petition is a request to the Council made either (i) in writing; or (ii) through the Council's e-petitions system on its website.

#### 2. Scope of Scheme

2.1 The Council will accept paper based petitions, e-petitions (but only those submitted on through its own petitions system) or a mix of paper and e-petitions. The proper officer for petitions is the Assistant Director of Governance and Performance Management.

#### 3. Acknowledgement

3.1 All petitions sent or presented to the council shall receive an acknowledgement from the council within seven days of receipt. This acknowledgement will set out what the Council plan to do with the petition. The Council shall treat something as a petition if it is identified as being a petition, or if it seems to the Council that it is intended to be a petition.

#### 4. Exceptions to Petitions

4.1 The following petitions do not fall within the scope of this petitions scheme:

(a) Emailed petitions, as email systems are not secure. Petitioners must use either paper or the Council's EPetitions system. The Council will not monitor third party petitions systems.

(b) Petitions which are considered to be vexatious, abusive, anonymous or otherwise inappropriate will not be accepted. In the period immediately before an election or referendum the Council may need to deal with a petition differently – if this is the case the Council will explain the reasons with the petitioner and discuss the revised timescale which will apply.

(c) Petitions relating to a planning decision; (as the Planning application process deals with objections to applications), including those about a development plan document or the community infrastructure levy.

(d) Petitions relating to a licensing decision; (as the Licensing scheme deals with objections to applications)

(e) Petitions relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal.

(f) Any matter for which the Standards Committee has powers for determining complaints received under the Local Assessment process.

(g) Any complaint made against an employee of the District Council.

(h) Any matter which is substantially the same as a petition submitted in the previous 12 months.

- (i) Where the subject matter is subject to ongoing legal proceedings.
- (j) Petitions made during formal Council consultations related to the subject matter of the consultations (these will be formally referred to that process as appropriate)

4.2 Where a petition submitted relates to one of the categories set out above the Council will write to the lead petitioner and explain why the matter is not covered by the authority's Petitions Scheme. In appropriate circumstances, the Council may advise how the public views can be considered via alternative means.

## **5. Submission guidelines/Signatory Requirements**

5.1 Petitions submitted to the council must include:

- (a) A clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the council to take.
- (b) The name and address and signature of any person supporting the petition.
- (c) Contact details, including an address (and a valid email address if submitted electronically), for the petition organiser

5.2 If the petitioner contacts the Council to start an e-Petition, then the Council and the Lead Petitioner will agree the period over which signatures will be collected and to agree the final wording of the petition. The petition will then be available to sign 'electronically' for the agreed period on the Council's website. On the expiration of that time, the Council will respond in accordance with Section 7 below.

5.3 Anyone who lives, works or studies in Epping Forest District is entitled to sign to support a petition. The supporters Name, Address, a valid email address and/or postcode are required to sign an e-Petition on the Council's website. For paper petitions signatories must provide their, name, address and signature

5.4 E-petitions will run on the Council website for a maximum of 3 months, but the Council and the lead petitioner can choose a shorter or longer timeframe up to the maximum.

## **6. The procedure when the Council receives a petition**

6.1 The Council will send the lead petitioner an acknowledgement of the petition within 7 days.

6.2 If the Council is able to do what the petition asks for, the acknowledgement may confirm that the Council have taken the action requested and the petition will be closed.

6.3 If the petition needs more investigation, the Council will tell the lead petitioner the steps the Council plan to take.

6.4 If the lead petitioner has created an e-petition, the Council will check that the content of the e-petition is suitable before it is made available for signature. This will take a maximum of ten working days.

6.5 If the Council cannot publish an e-petition for some reason, the Council will contact the lead petitioner within ten days to explain the reason for not publishing a petition based upon the exceptions in section 4 above.

6.6 A lead petitioner is able to change and resubmit their e-petition within 10 working days, if they fail to do so within that time, a summary of the e-petition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the website.

## 7. How the Council considers petitions

<b>Petition type</b>	<b>Response</b>
Correspondence with fewer than 20 signatures	This will normally be dealt with by the appropriate Directorate as ordinary correspondence, unless the Service Director concerned is of the opinion that the subject matter is sufficiently important or contentious to warrant referring the matter to the appropriate Portfolio Holder.
Petitions with more than 20 but fewer than 2400 signatures	These will be considered and dealt with by the relevant portfolio holder who may: <ul style="list-style-type: none"> <li>(a) take action if he or she has delegated powers to act alone;</li> <li>(b) refer the matter to the Cabinet or a Sub-Committee of the Cabinet for decision.</li> </ul>
Petition containing at least 1200 signatures requesting a Senior Officer addresses the petitions concerns.	The relevant Senior Officer will give evidence at a public meeting of the Council's Overview and Scrutiny Committee or if appropriate one its Panels.
2400 signatures or more	These large petitions will be scheduled for a council debate and if this is the case we will let you know whether this will happen
e-petitions	When an e-petition has closed for signature, it will automatically be submitted to the relevant officer, portfolio holder or Council In the same way as a paper petition.

## 8. Decisions on petitions

The Council's response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- taking the action requested in the petition

- considering the petition at a council meeting
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- referring the petition for consideration by the council's overview and scrutiny committee<sup>1</sup> or to the Cabinet or a Cabinet Committee
- writing to the petition organiser setting out our views about the request in the petition

In addition to these steps, the council will consider all the specific actions it can potentially take on the issues highlighted in a petition.

If a petition is about something over which the council has no direct control (for example healthcare or transport) the responsible body (under section 7 above) will consider making representations on behalf of the community to the relevant body.

If the Council are not able to meet the petitioners requests for any reason (for example if what the petition calls for conflicts with council policy), then the Council will set out the reasons for not taking the action requested in writing to the Lead Petitioner.

Decisions made by the Portfolio Holder will be recorded in writing and notified to the public, the lead petitioner and all members of the Council.

All received petitions will be reported to Council via regular Portfolio Holder reports.

## **9. Petitions received after a decision is made**

In cases where a petition is received after a decision has been made by the Council on any matter, the following steps will be taken by the Director unless the petition meets the threshold for a Council debate:

- (a) a letter of acknowledgement shall be sent to the lead petitioner, including a statement of the action already taken by the Council;
- (b) in consultation with the appropriate Portfolio Holder, Committee or Sub-Committee Chairman a decision will be taken as to whether the petition raises new evidence requiring further consideration by the Portfolio Holder or Committee concerned;
- (c) if it is decided that no new matters are raised by the petition, the lead petitioner shall be advised accordingly;
- (d) if new matters are raised then the petition will be treated as 'new' under this scheme.

## **10. Full council debates**

If a petition contains more than 2400 signatures it will be debated by the full council at its next ordinary meeting.

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<sup>1</sup> Overview and scrutiny committees are committees of councillors who are responsible for scrutinising the work of the council – in other words, the overview and scrutiny committee has the power to hold the council's decision makers to account.



The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by councillors for a maximum of 15 minutes.

The council will decide how to respond to the petition at this meeting.

The Council may:

- (a) decide to take the action the petition requests,
- (b) not to take the action requested for reasons put forward in the debate, or
- (c) commission further investigation into the matter, for example by the Cabinet or a relevant Cabinet committee.

Where the issue is one on which the council executive are required to make the final decision (i.e. within the financial and policy framework), the council will decide whether to make recommendations to inform that decision. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

## **11. Officer evidence**

A petition may ask for a Senior Officer<sup>2</sup> to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example, a petition may ask a Senior Officer to explain progress on an issue, or to explain the advice given to elected members to enable them to make a particular decision.

If a petition contains at least 1200 signatures, the relevant Senior Officer will give evidence at a public meeting of the Council's Overview and Scrutiny Committee or if appropriate one its Panels.

You should be aware that the overview and scrutiny committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance if the named officer has changed jobs. The committee may also decide to call the relevant councillor to attend the meeting. Committee members will ask the questions at this meeting, but you will be able to suggest questions to the chair of the committee by contacting Democratic Services up to three working days before the meeting. You will be informed when and where this meeting will take place.

## **12. What can I do if I feel my petition has not been dealt with properly?**

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the council's overview and scrutiny committee review the steps that the council has taken in response to your petition. It is helpful to everyone, and can improve the prospects for a review if the petition organiser gives a short explanation of the reasons why the council's response is not considered to be adequate.

The committee will endeavour to consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting. Should the committee determine we have not dealt with your petition adequately, it may use any of its powers to deal with the matter.

These powers include instigating an investigation, making recommendations to the council or executive and arranging for the matter to be considered at a meeting of the full council. Once

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<sup>2</sup> For the purpose of this Scheme Senior Officer means the Chief Executive, Director or Assistant Director

the appeal has been considered the petition organiser will be informed of the results within 5 working days. The results of the review will also be published on our website.

## **EPPING FOREST DISTRICT COUNCIL**

### **PETITION SCHEME GUIDANCE**

#### **Introduction**

The Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns.

You have a choice in the way you submit petitions. It can be done in the traditional paper way or using our electronic petitions (e-petitions) system.

#### **How to submit a Petition**

Paper petitions can be sent to:

Assistant Director of Governance and Performance Management  
Epping Forest District Council  
Civic Offices  
High Street  
Epping  
Essex CM16 4BZ

e-petitions can be submitted at:

[www.eppingforestdc.gov.uk/petitions](http://www.eppingforestdc.gov.uk/petitions)

#### **Who can submit or sign a petition?**

A petition can be submitted or signed by a person who lives, works or studies in Epping Forest District.

#### **What does a Petition need to be valid?**

Petitions must relate to matters that directly affect the Council or Epping Forest, and about which the Council has powers to act or lobby. National and foreign issues are not valid subjects for petitions.

Petitions submitted to the Council must include:

- A clear and concise statement covering the subject of the petition and on each page of the petition
- It should state what action the petitioners would like the Council to take
- The full name and contact details and the signature of the person leading the petition, and if submitted online via our e-petition system, a valid email address.

#### **Petition types we don't accept under this scheme**

- (a) Emailed petitions or petitions started on third party websites;
- (b) Petitions that are vexatious, abusive, anonymous or otherwise inappropriate or subject to legal proceedings;
- (c) Petitions about a planning application (these will be referred to the planning process)

(d) Petitions about a proposed licensing decision (these will be referred to the licensing section)

(e) Petitions made about a decision made about a person or entity where they have a separate right of review or appeal or where another formal consultation is being undertaken at the time (we will refer your petition to that process)

(f) Petitions that relate to a matter over which the Council's Standards Committee have jurisdiction (for example a complaint about a Councillor).

(g) Petitions that are a complaint about an employee. (these would be referred to the Council's complaints process)

### **What happens when I submit a petition?**

All petitions sent or presented to the Council will receive an acknowledgement from the Council within 7 working days of receipt. This acknowledgement will set out how the Council will respond to petitions.

If you create an e-petition, we will check that the content is suitable and then make it available for electronic signature for a maximum period of three months.

Depending on how many signatures there are to support a petition it will be considered in different ways:

<b>Petition type</b>	<b>Response</b>
Correspondence with fewer than 20 signatures	This will normally be dealt with by the appropriate Directorate as ordinary correspondence, unless the Service Director concerned is of the opinion that the subject matter is sufficiently important or contentious to warrant referring the matter to the appropriate Portfolio Holder.
Petitions with more than 20 but fewer than 2400 signatures	These will be considered and dealt with by the relevant portfolio holder who may:  (a) take action if he or she has delegated powers to act alone;  (b) refer the matter to the Cabinet or a Sub-Committee of the Cabinet for decision.
Petition containing at least 1200 signatures requesting a Senior Officer addresses the petitions concerns.	The relevant Senior Officer will give evidence at a public meeting of the Council's Overview and Scrutiny Committee or if appropriate one its Panels. This would be a public meeting to which you would be invited to participate.

Petition type	Response
2400 signatures or more	These large petitions will be scheduled for a council debate and if this is the case we will let you know whether this will happen and you will have the opportunity to address the meeting with your concerns.
e-petitions	When an e-petition has closed for signature, it will automatically be submitted to the relevant officer, portfolio holder or Council In the same way as a paper petition.

### How Will the Council Respond to Petitions?

Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- Taking the action requested in the petition.
- Not taking the action requested and responding with the reasons why.
- Considering the petition at a council meeting.
- Making enquiries to find out more about the matter.
- Referring the matter for review by a committee of the Council
- Holding a meeting with petitioners.
- Writing to the petition organiser setting out the Council's views about the request in the petition.

If you submit a petition after a decision has been made about the issue we will look to see if you are raising new matters before we decide how to respond to you. The petition organiser will always receive a written decision on their petition request.

### What happens if the matter is referred to the Council for debate?

If a petition contains the required number of signatures, and you have requested that it is debated by Full Council; the issue raised in the petition will be discussed by councillors at the next available ordinary meeting,

At the meeting the petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by councillors for a maximum of 15 minutes.

The councillors will decide how to respond to the petition at this meeting.

The Council may decide to:

- take the action the petition requests,
- not to take the action requested for reasons put forward in the debate, or
- to commission further investigation into the matter, for example by a relevant committee.

Where the issue is one on which the Council's cabinet is required to make the final decision, the councillors will decide whether to make recommendations to inform that decision. The petition organiser will receive written confirmation of this decision.

{section regarding appeals/review required}

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## **Report to the Constitution and Member Services Standing Scrutiny Panel**

**Date of meeting:** 18 March 2014

**Report of:** Assistant to the Chief Executive

**Subject:** Review of Questions Without Notice at Council Meetings

**Officer Contact for further information:** I Willett (01992 564243)  
Assistant to the Chief Executive  
Email: [iwillett@eppingforestdc.gov.uk](mailto:iwillett@eppingforestdc.gov.uk)

**Committee Secretary:** Mark Jenkins (01992 564607)  
Democratic Services Officer  
Email: [mjenkins@eppingforestdc.gov.uk](mailto:mjenkins@eppingforestdc.gov.uk)

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### **Recommendations:**

- (1) To receive a brief presentation of the "PICK" form proposal (Appendix 1) by the Chairman of this Panel (Proposer) and Councillor M Sartin (Supporter);
- (2) To consider the following background information:
  - (a) origin of the current procedure (see report);
  - (b) extracts from the Constitution (Appendix 2);
  - (c) summary of practices in respect of other Essex councils (Appendix 3);
  - (d) original reports to the Council dated 6 June 2006 (Appendix 4) and protocol agreed on 24 April 2007 (Appendix 5); and
  - (e) feedback from other Councillors in response to an item in the Council Bulletin; and
- (3) To consider any further information required and how this review should be taken forward.

### **Report:**

#### **Introduction**

1. The attached "PICK" form, proposes a review of the procedure for dealing with questions without notice at Council meetings. The proposer is the Chairman of this Panel and the supporter is Councillor M Sartin, the current Chairman of Council.
2. This form was referred to the Panel for consideration and a report by the Overview and Scrutiny Committee at its meeting on 26 November 2013.

## History

3. Appendices 4 and 5 are two reports on this subject dating from June 2006 and April 2007. The current system for questions without notice (shown in Appendix 2) derives from the original review in 2006 of all aspects of Council meetings. Proposals for questions without notice formed part of that review. In April 2007, in response to a request by the Council, a protocol was prepared advising on progress on how the open question session was to be handled at Council meetings.

4. The Panel should note that the subject of this review is therefore only questions without notice. Questions under notice both by the public and Councillors have been reviewed by this Panel in the recent past with a view to standardising deadlines for submission of questions and how these are to be dealt with.

## Practices adopted in other Councils

5. Appendix 3 shows a summary of the practices adopted in other Essex authorities plus neighbouring London Boroughs drawn from their Constitutions as published on their websites. These are submitted for comparison purposes. A number of themes emerged from these comparisons:

- (a) EFDC seems to be unusual in having a completely open session for questioning of Cabinet members;
- (b) most other Councils do admit questions from members to Portfolio Holders but these are under a notice system so that these are known in advance and, in some cases, published in the Council agenda;
- (c) time limits for question time seem to be fairly common and vary between 20 minutes and 80 minutes;
- (d) written reports by Portfolio Holders are referred to by various Councils but it is not always clear whether these are Cabinet reports forming normal Council business or separate progress report on which there is open questioning of the kind adopted by this Council.

## Current System

6. At present, 20 minutes is allocated at each Council meeting for:

- (a) questions on circulated written reports by Portfolio Holders; and
- (b) open questions to Portfolio Holders.

7. The protocol agreed in April 2007 (Appendix 5) provides for a degree of flexibility in managing those 20 minutes and extending that period if appropriate. The central point made in the "PICK" form is that "...The current system of questions without notice leads to a sense of disorganisation. The juxtaposition of questions on reports and questions on other matters leads to many occurrences of questions being identified by the Chair only to find that their questions are for another section".

7. Currently the 20 minute session at Council meetings is divided into two parts: 10 minutes to ask questions on Portfolio Holders' written reports followed by 10 minutes of unscripted questions to Portfolio Holders. The Chairman of the Council has some discretion to extend the time available in the light of the number of questions to be asked and also to vary the period allocated between the two kinds of question.



### **Consultation with Members**

8. An item was published in the Council Bulletin seeking views from members of the Council on the current arrangements. There have been no responses.

### **Next Steps**

10. Any changes to the organisation of question time may require re-wording of the Council's Constitution and the existing protocol. The Panel may wish to consider recommending changes before the start of the new Council year at the April Council meeting.

Z:/C/CONSTITUTION & MEMBERS SERVICES SCRUTINY STANDING PANEL\2014\18 MARCH 2014 – REVIEW OF QUESTIONS WITHOUT NOTICE AT COUNCIL MEETINGS

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### Dealing with member requests for review and PICK Priority Setting

#### Setting Up 'Task and Finish' Panels

As a guideline and subject to resource constraints, the Overview and Scrutiny Committee may establish time limited scrutiny 'Task and Finish' Panels. These panels will be charged with carrying out an in-depth investigation into a specific service area or policy. Each panel will work to a specific brief set out by the Overview and Scrutiny Co-ordinating Committee although scoping and reporting routes will be relevant to each review or task.

Membership of the scrutiny panels may be drawn from the Overview and Scrutiny Committee itself and/or from other Members of the Council. Membership will depend on the knowledge and expertise required to deal with the matter in hand, as long as the principle of independence is not compromised.

Choosing the topics for the scrutiny panels to work on is a key task for the Overview and Scrutiny Committee. It will be impossible for the scrutiny panels to cover all the Council's activities and there is therefore a need to prioritise particular issues.. Overview and Scrutiny Committee has adopted criteria to assist it with the task of choosing topics for scrutiny to judge both the individual topic suggested and the shape of the overall programme of topics being scrutinised:

This system is called PICK. This acronym stands for:

#### **PICK System**

##### **P for Public Interest**

Members' representative roles are an essential feature of Scrutiny. They are the eyes and ears of the public, ensuring that the policies, practice and services delivered to the people of the District, by both the Council and external organisations, are meeting local needs and to an acceptable standard. The concerns of local people should therefore influence the issues chosen for scrutiny. Members themselves will have a good knowledge of local issues and concerns. Surgeries, Parish Councils, Residents Associations and Community Groups are all sources of resident's views. Consultation and Surveys undertaken by the Council and others can also provide a wealth of information.

##### **I for Impact**

Scrutiny is about making a difference to the social, economic and environmental well-being of the area. Not all issues of concern will have equal impact on the well-being of the community. This should be considered when deciding the programme of work, giving priority to the big issues that have most impact. To maximise impact, particularly when scrutinising external activity, attention should also be given to how the committee could influence policy and practice. Sharing the proposed programme of reviews with Members, officer and key partners will assist this process.

##### **C for Council Performance**

Scrutiny is about improving performance and ensuring the Council's customers are served well. Members will need good quality information to identify areas where the Council, and other external organisations, are performing poorly. There is no shortage of Performance Indicators available and the recent scrutiny review has sought to develop a 'basket ' approach to future review. Areas where performance has dropped should be our priority.

### **K for Keep in Context.**

To avoid duplication or wasted effort priorities should take account of what else is happening in the areas being considered. Is there a Best Value Review happening or planned? Is the service about to be inspected by an external body? Are there major legislative or policy initiatives already resulting in change? If these circumstances exist Members may decide to link up with other processes (e.g. Best Value Review) or defer a decision until the outcomes are known or conclude that the other processes will address the issues. Reference should also be made to proposed programmes of work in the Councils plans and strategies

### **Members Requests**

Members should complete the attached form (Annex 1) having regard to the above categories. Requests will be considered by the Overview and Scrutiny Co-ordinating Committee and ranked against other requests and available resources and placed in a ranking list (Annex 2) using the following scoring system.

## PICK Scoring System

- **P**ublic Interest: the concerns of local people should influence the issues chosen

Score	Measure
0	no public interest
1	low public interest
2	medium public interest
3	high public interest

- **I**mpact: priority should be given to the issues which make the biggest difference to the social, economic and environmental well-being of the area

Score	Measure
0	no impact
1	low impact
2	medium impact
3	high impact

- **C**ouncil Performance: priority should be given to the areas in which the Council, and other agencies, are not performing well.

Score	Measure
0	'Green' on or above target performance
2	'Amber',
3	low performance 'Red'

- **K**eep in Context: work programmes must take account of what else is happening in the areas being considered to avoid duplication or wasted effort.

Score	Measure
0	Already dealt with/ no priority
1	Longer term aspiration or plan
2	Need for review raised but not adopted policy
3	Need for review acknowledged and already incorporated into programme or contained in a strategy and/or Council BVPP target

Each topic will be scored under each category as indicated above. Where a category is not applicable, no score will be given.

**Request by Member for Scrutiny Review**



Please complete the form below to request consideration of your issue by the Overview and Scrutiny Committee

<b>Proposers Name:</b> John Philip	<b>Date of Request</b> 26 NOVember 2013
<b>Supporting Councillors (if any):</b> Mary Sartin	
<b>Summary of Issue you wish to be scrutinised:</b>  The current procedure for dealing with questions without notice at Full Council	
<p align="center"><b>NOTE: ENTRIES BELOW RELATE TO ISSUE CATEGORIES OF THE PICK PROCESS. PLEASE REFER TO THE EXPLANATORY NOTES TO THIS FORM FOR FURTHER INFORMATION</b></p>	
<b>Public Interest Justification:</b> The current system of Questions without notice at full Council, leads to a sense of disorganisation. The juxtaposition of questions on reports and questions on other matters leads to many occurrences of questioners being identified by the Chair only to find that their questions are for the other section. This gives a bad impression to members of the public present and watching on Webcast	

**Impact on the social, economic and environmental well-being of the area:**

**Inefficient treatment of questions raises the risk that important issues will not be raised in a meaningful manner in the most public of Council meetings**

**Council Performance in this area (if known: Red, Amber, Green):**

**Operation of full Council is significantly impacted by this**

**Keep in Context (are other reviews taking place in this area?)**

**No other reviews are in progress on this**

<b>Office Use:</b>	
<b>Pick score:</b>	<b>Considered By OSCC:</b>



**Annex 2**

**Scoring Matrix**

	Issue	Public Interest	Impact	Council Performance	Keep in Context	Score	Proposed action
1							
2							
3							
Page 41							

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### CURRENT CONSTITUTION (COUNCIL PROCEDURE RULES)

>>>

#### 2. ORDINARY MEETINGS

>>>

(v) receive questions from, and provide answers to, the public and members of the Council in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting;

>>>

(vi) receive reports from the Leader of the Council on the appointment of a Deputy Leader, the Cabinet, Cabinet Committees, Responsibilities of Cabinet members, appointments to outside organisations which are the responsibility of the Executive and delegation of Cabinet functions to officers;

>>>

#### 12. QUESTIONS BY MEMBERS

##### 12.1 On Reports of the Executive or Committees

A member of the Council may ask the Leader, or the Chairman of Overview and Scrutiny or a Portfolio Holder any question without notice on an item of the report of the Executive or a Committee when that item is being received or under consideration by the Council.

>>>

##### 12.6 Questions without notice at full Council

A member of the Council may ask the Leader, Chairman of Overview and Scrutiny or any member of the Cabinet any question without notice on any non-operational matter in relation to which the Council has powers or duties or which affect the administrative area covered by the (Epping Forest District Council) or part of it or the inhabitants of that area or some of them, or which relates to a written response given by the Leader, Chairman of Overview and Scrutiny Committee or a member of the Cabinet.

##### 12.7 Response to a question without notice

An answer to a question without notice may take the form of:

(a) direct oral answer from the Leader or, at the request of the Leader, from another member of the Cabinet;

(b) direct oral answer from the Chairman of the Overview and Scrutiny Committee or, at their request, from another member dealing with that issue as part of an Overview and Scrutiny review;

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

(d) where the reply cannot be conveniently be given orally, a written answer circulated later to the questioner; or

(e) where the question relates to an operational matter, the Leader, Chairman of Overview and Scrutiny Committee or a member of the Cabinet will request that a response be given direct to the questioner by the relevant Chief Officer.

### **12.8 Limit on the Time for Questions**

A time limit of 20 minutes shall be set for questions under Rule 12. Any question which cannot be dealt with within the time available will receive a written reply.

**Basildon District Council**

**Period allocated to Member questions –**

30 minutes

**Notice of Questions –**

By 10.00am on the 3rd working day before the day of the meeting, the Member to whom the question is addressed must be given notice.

**Urgent Questions –**

An urgent question can be raised and asked with the approval of the Mayor, provided that the question has been delivered by noon on the day of the meeting to the Chief Executive.

**Review/Management of Questions by –**

N/A

**Supplementary Questions –**

If the questioner is a member of the Council, two supplementary questions may be asked but these must arise directly from the original question or reply.

In the event of a member not exercising his right to ask a supplementary question, a supplementary question may be put by any other member at the discretion of the Mayor.

Supplementary questions will be put without debate or comment from other members.

**Re-direction of Questions –**

Mayor can re-direct question to Leader, other Cabinet member etc.

**Portfolio Holder Reports –**

None

**Other Points –**

Chief Executive maintains record of each question for public inspection.

Two or more questions which in the opinion of the Mayor, are in similar terms, may be amalgamated as the Mayor thinks fit to form one question.

Questions from members of the public may not be amalgamated with questions from members of the Council.

## **Brentwood Borough Council**

### **Period allocated to Member questions –**

Not exceeding 80 minutes

### **Notice of Questions –**

Written Questions – 4 working days before the day of the Council meeting.

Oral Questions - A Member of the Council can ask only one oral question of each Chair. No notice is required.

### **Urgent Questions –**

N/A

### **Review/Management of Questions by –**

Written questions dealt with in the order in which they are received.

### **Supplementary Questions –**

Written Questions – One supplementary question is allowed.

Oral Question - No supplementary question shall be put except if the questioner considers that the reply requires clarification and the Mayor gives leave to the questioner to ask a supplementary question.

### **Re-direction of Questions –**

N/A

### **Portfolio Holder Reports –**

None

### **Other Points –**

Oral questions are dealt with after the completion of questions without notice.

## **Braintree District Council**

### **Period allocated to Member questions –**

Up to 30 minutes

### **Notice of Questions –**

Can ask questions without notice.

### **Urgent Questions –**

### **Review/Management of Questions by –**

### **Supplementary Questions –**

One supplementary question can be asked directly arising from the original question.

### **Re-direction of Questions –**

N/A

### **Portfolio Holder Reports –**

Yes. These are presented and updated if necessary and are then given to questions.

### **Other Points –**

A Member may make a statement at ordinary meetings of Council upon giving details of the subject to the Chief Executive, the Monitoring Officer or the Member Services Manager by no later than 5.30p.m. on the 9<sup>th</sup> working day before the meeting. No Member shall make more than one statement at any one ordinary meeting of the Council and the statement must be related to the powers or duties of the Council or affects the District.

The Chairman of the Council has the discretion to decline any statement to be dealt with under this rule on the grounds that it addresses matters inappropriate to consider at the meeting.

## **Castlepoint Borough Council**

### **Period allocated to Member questions –**

### **Notice of Questions –**

A Member of the Council may ask a member of the Cabinet any question without notice upon an item of the report of the Cabinet when that item is being received or under consideration by the Council.

With the approval of the Mayor, the Chairman may ask a Chief Officer to respond on any question where the Cabinet member does not have the information and it is considered the officer would be able to assist.

A Member may only ask a question if it has been given in writing and delivered to the Chief Executive not later than seven clear working days before the day of the meeting. In the case of a meeting held on a Monday evening, for example, any notice must be received by the Chief Executive by 5.15p.m. on the Wednesday of the week two weeks before the week of the meeting.

### **Urgent Questions –**

### **Review/Management of Questions by –**

### **Supplementary Questions –**

### **Re-direction of Questions –**

### **Portfolio Holder Reports –**

### **Other Points –**

The Mayor may reject a question if it:

- (a) Is not about a matter for which the Council has a responsibility of which directly affects the Borough;
- (b) Is defamatory, frivolous or offensive; or
- (c) Is substantially the same as a question which has been put at a meeting of the Council in the past two years;
- (d) Requires the disclosure of confidential or exempt information; and



(e) Is subject to separate mediation or dispute resolution.

### **Chelmsford Borough Council**

#### **Period allocated to Member questions –**

A maximum of one hour.

#### **Notice of Questions –**

Written questions to the Leader and Cabinet members must be submitted either by letter or email to the designated officer by 12 noon on the second day before the meeting.

#### **Urgent Questions –**

N/A

#### **Review/Management of Questions by –**

Copies of all questions will be distributed at the meeting. Officers will prepare suggested replies to or background information on each question if the Cabinet member so desires. The Cabinet Member may use this if they desire.

#### **Supplementary Questions –**

A supplementary question can be asked if it is on a point arising from the answer. The questionnaire can also comment on the reply but the Portfolio Holder must be able to respond.

#### **Re-direction of Questions –**

N/A

#### **Portfolio Holder Reports –**

None

#### **Other Points –**

As soon as possible after the meeting, a record of the replies given to questions put under this rule will be distributed to all members of the Council and published on the Council's website.

## **Colchester Council**

### **Period allocated to Member questions –**

A period not exceeding 60 minutes for pre-notified questions. Questions can be put to the Leader of Council, Cabinet Members and Panel/Committee Chairmen.

Following the conclusion of pre-notified questions, each Councillor may ask no more than one oral question of the Leader of the Council and of each Cabinet Member and Chairmen of Panels and Committees. These questions are without notice.

### **Notice of Questions –**

Two clear days' notice.

### **Urgent Questions –**

### **Review/Management of Questions by –**

The Chairman may rule out questions which are inappropriate.

### **Supplementary Questions –**

The questioner who has asked a pre-notified question or an oral question may ask one supplementary question.

### **Re-direction of Questions –**

N/A

### **Portfolio Holder Reports –**

None

### **Other Points –**

At the expiration of 60 minutes, any questions which Councillors have indicated to the Mayor a desire to ask, but which have not been asked, shall be deemed to have lapsed and will not be carried forward to any future meeting.

Every question asked shall be put and answered without discussion.

## **Essex County Council**

### **Period allocated to Member questions –**

Up to 20 minutes for questions without notice (see below).

### **Notice of Questions –**

Notice has to be given in writing to the Chief Executive before 10.30a.m. the Wednesday prior to the Council meeting. Full Council always meets on a Tuesday. The number of written questions is limited to two.

### **Urgent Questions –**

Where considered urgent, the Chairman may allow any member to put to the Leader, Cabinet member or Chairman of any committee any question of which the above notice has not been given, but a copy of any such question shall, if possible, be delivered to the Chief Executive not later than 9.00a.m. on the day of the meeting.

### **Review/Management of Questions by –**

Written questions may be edited to bring them into proper form or reasonable brevity.

### **Supplementary Questions –**

If after a reply is given to a written question the Member who asked the question considers that the reply requires clarification, he may ask once for clarification but otherwise no supplemental question shall be put except by leave of the Chairman.

### **Re-direction of Questions –**

N/A

### **Portfolio Holder Reports –**

None

### **Other Points –**

Questions can be asked of the Leader, Cabinet Member or Chairman of a Committee without notice.

## **Harlow District Council**

### **Period allocated to Member questions –**

No longer than 30 minutes at Council meetings and 15 minutes at other meetings.

### **Notice of Questions –**

A Councillor may ask up to 2 questions to the Chairman of the Council, the Leader and Portfolio Holder and Chairman of any committee if they have given at least two clear working days notice in writing to the Chief Executive.

### **Urgent Questions –**

The question relating to urgent matters, has the consent of the Chairman of the meeting where the question is to be put and the content of the question is given to the Chief Executive before the start of the relevant meeting.

### **Review/Management of Questions by –**

The Chief Executive will record the receipt of each question in a form capable of being open to public inspection and will send a copy of the question to the Councillor to whom it is to be put. The Chief Executive can reject inappropriate questions or those which are not relevant. Questions which are substantially the same as one asked in the past six months can be rejected as well as those involving disclosure of exempt or confidential information. The Chief Executive may edit questions to place them in proper form.

### **Supplementary Questions –**

A supplementary question must arise directly out of the original question or the reply

### **Re-direction of Questions –**

N/A

### **Portfolio Holder Reports –**

None

### **Other Points –**

Similar questions are permitted at Cabinet and Committee or Sub-Committee meetings.

Questions must be asked in the order in which they are received.

## **Maldon District Council**

### **Period allocated to Member questions –**

None specified

### **Notice of Questions –**

Notice in writing has to be given to the Chief Executive, received not later than noon on the Monday preceding the day on which the meeting is to be held.

Questions may also be put without notice to the Chairman of the Council or of any committee, provided that no question shall seek to raise, or have the effect of raising any matter dealt with or disposed of through the transaction of business earlier in the particular meeting or any matter which is not relevant to the Council.

Questions may be put without notice to the Leader of the Council provided the subject has not been dealt with at the meeting already.

### **Urgent Questions –**

With the permission of the Chairman, put to him or the Chairman of any Committee, any question relating to urgent business, of which such notice has not been given, a copy shall, if possible, be delivered to the Chief Executive not later than 10.00a.m. on the day of the meeting.

### **Review/Management of Questions by –**

N/A

### **Supplementary Questions –**

None

### **Re-direction of Questions –**

N/A

### **Portfolio Holder Reports –**

None

### **Other Points –**

None

## **Redbridge Borough Council**

### **Period allocated to Member questions –**

Two sessions of 30 minutes each are allowed for public and member questions.

### **Notice of Questions –**

Any Councillor, resident or business ratepayer of the Borough may put questions to the mayor, Leader of the Council, any Cabinet member or any Committee Chair (except those of the Standards, Scrutiny or Area Committees).

### **Urgent Questions –**

A Councillor may ask a question about an urgent matter if notice is given by noon on the working day before the meeting.

### **Review/Management of Questions by –**

All questions must either:

- (a) be relevant to the functions or responsibilities of the person to whom they are directed, or the committee that they chair, or
- (b) relate to a national or local matter that has a significant impact on the Borough.

No question may be put that:

- (a) relates to any current investigation or complaint concerning any Members or former Members;
- (b) would require disclosure of confidential or exempt information (unless asked by a Councillor);
- (c) concerns any planning or licensing application made to the Council;
- (d) is unsuitable in form, frivolous or derogatory to the dignity of the Council;
- (e) pursues a formal complaint against the Council where other complaint channels exist.

The Mayor will have the final decision whether or not a question complies with this Standing Order and where there is doubt, decide to which councillor a question should be addressed.

Each question will last no more than 2 minutes.

### **Supplementary Questions –**

**After a Councillor's question, 2 2 relevant supplementary questions will be allowed.**

### **Re-direction of Questions –**

### **Portfolio Holder Reports –**

**Other Points –**

**Rochford District Council**

**Period allocated to Member questions –**

None.

**Notice of Questions –**

Members have to give at least 5 working days' notice in writing of the question to the Chief Executive.

Questions by Members are on notice may ask the Leader or a Chairman of a committee or sub-committee on any matter in relation to which the Council has powers which affect the area which falls within the committee's terms of reference.

**Urgent Questions –**

Questions relating to urgent matters must have the consent of the Chairman to whom the question is to be put and the content of the question is given to the Chief Executive by midday on the day of the meeting.

**Review/Management of Questions by –**

The Chief Executive will enter each question in a book open to public inspection and will immediately send a copy of the question to the Member to whom it is to be put.

**Supplementary Questions –**

A questioner who has put a question in person may also put one supplementary question without notice to the Member who has replied to his or her original question. The question must arise directly out of the original question or the reply.

**Re-direction of Questions –**

N/A

**Portfolio Holder Reports –**

None

**Other Points –**

None

## **Southend-on-Sea District Council**

### **Period allocated to Member questions –**

Two periods of questions for the public and members, each period lasting up to 30 minutes.

### **Notice of Questions –**

Notice of questions by Councillors has to be given in writing and delivered to the Chief Executive and town Clerk not later than 2 clear working days before the date of the meeting. Not more than two questions can be asked by any one member.

### **Urgent Questions –**

N/A

### **Review/Management of Questions by –**

Any question may be edited by the Chief Executive and Town Clerk to bring it into proper form.

### **Supplementary Questions –**

Not more than one supplementary question may be asked on any written question and only the member who asked the original question can ask a supplementary question.

### **Re-direction of Questions –**

N/A

### **Portfolio Holder Reports –**

None

### **Other Points –**

None



## **Tendring District Council**

### **Period allocated to Member questions –**

The time limit for asking each question is two minutes and the time limit for each reply is five minutes. At any one meeting no Councillor may submit more than two questions. A Member of the Council may ask a question to the Chairman, a Member of the executive and the Chairman of any committee or sub-committee.

### **Notice of Questions –**

Midday, no later than 7 working days before the day of the meeting.

### **Urgent Questions –**

Yes – if the comment has been obtained from the person to whom the question is to be put and it is received by noon on the day of the meeting.

### **Review/Management of Questions by –**

Published on the agenda in the order in which they were received.

### **Supplementary Questions –**

After the response has been given, the member who asked the question may ask one supplementary question of which no notice is required. However the supplementary question must relate to the original question.

### **Re-direction of Questions –**

Officers can reject a question of inappropriate or would involve exempt or confidential information.

### **Portfolio Holder Reports –**

### **Other Points –**

Questions shall not be submitted to the Annual Meeting of the Council or to an extraordinary meeting of the Council.

Questions at Committee or Sub-Committee meetings may be put and under the same procedure.

## **Thurrock District Council**

### **Period allocated to Member questions –**

The time limit for all questions shall be up to 30 minutes.

### **Notice of Questions –**

Any member may submit a maximum of two questions, except for the Leader of the Opposition who can ask two questions of the Leader and a further two in total of other members, by delivering them in writing to the Monitoring Officer to be received by Democratic Services by 5.00p.m. at least six working days prior to a meeting of Council.

The Monitoring Officer shall copy the question to the Member to whom it is addressed and place it on the agenda for the next meeting of Council, unless it did not comply with Council rules or was defamatory, offensive etc.

### **Urgent Questions –**

### **Review/Management of Questions by –**

The Monitoring Officer shall place the questions on the agenda in the order they were received. Where it was considered that the question or answer was likely to disclose confidential or exempt information, then it is placed in that part of the agenda. The Monitoring Officer may reject questions on grounds of relevance, appropriateness or if they have been asked during the previous 6 months unless a significant change in circumstances.

### **Supplementary Questions –**

Where the member who submitted the question is present, after the initial answer, they may ask two supplementary questions arising directly out of the initial question or answer which must not be extended to a statement.

### **Re-direction of Questions –**

### **Portfolio Holder Reports –**

### **Other Points –**

Any resident of the authority's area may submit a question addressed to the Leader, a Member of the Cabinet, a Chair of any committee or sub-committee, or a member appointed to represent the Council on a Joint Committee by delivering it in writing to the Monitoring

Officer, to be received by Democratic Services by 5.00p.m. at least six working days prior to a meeting of the Council.

**Uttlesford District Council**

**Period allocated to Member questions –**

N/A

**Notice of Questions –**

On reports of the Executive or Committees - A member of the Council may ask the Leader, member of the Executive or the Chairman of a committee any question without notice upon an item of the report of the executive or a committee when that item is being received or under consideration by the Council.

**Urgent Questions –**

N/A

**Review/Management of Questions by –**

N/A

**Supplementary Questions –**

N/A

**Re-direction of Questions –**

N/A

**Portfolio Holder Reports –**

N/A

**Other Points –**

N/A

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# ***Report to the Council***

**Committee:** Overview and Scrutiny

**Date:** 25 July 2006

**Chairman:** Councillor Richard Morgan

**Item:** 6

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## **1. FUTURE ROLE OF COUNCIL**

### **Recommending:**

- (1) That approval be given to the proposed enhancements put forward by this Committee in relation to Council meetings, namely those in respect of 'State of the District' debates. 'Single Issue' meetings, reports from Overview and Scrutiny/the Leader/Portfolio Holders and questions from Members;
  - (2) That approval be given to a review of the publicity arrangements in respect of questions from the general public to Council and committee meetings; and
  - (3) That, accordingly, the Terms of Reference and Procedure Rules in respect of meetings of Full Council be amended as shown in Appendices 1. and 2 attached.
- 

### **Introduction**

1. (Chairman of Overview and Scrutiny Committee). Following the introduction of revised political decision-making arrangements and adoption of a new Constitution, revised Terms of Reference for the Full Council were agreed.
2. When reviewing constitutional matters, at its meeting on 25 November 2003, the Overview and Scrutiny Co-ordinating Group noted that the volume of business being referred to the Council from Cabinet was more limited. In the early stages of drafting the Constitution, it was acknowledged that a new role should be developed for the Council.
3. Since political modernisation, debates at Council meetings have concentrated on referred items, appointments to outside bodies and Committees, and to motions and questions. It is recognised that Council meetings may not be achieving Members' aspirations for providing a major forum for debates of interest to the local community.
4. During the 2004/05 Council year, the then Policy Working Group began a review of the types of item being considered and determined at Council meetings and the options for enhancing debate. The work on the review was continued by the Constitutional Affairs Scrutiny Standing Panel in 2005/06.
5. A number of visits to other local authority Council meetings were undertaken and a comprehensive review completed. A number of additional items that might be appropriate for discussion and determination by the Full Council itself were identified.

6. Subsequent to the conclusion of the review Members of Council were surveyed, in the form of a questionnaire, on the potential enhancements identified. The results of the survey indicated that, in each instance, Members were in favour of the enhancements proposed. We considered the responses to the questionnaire along with the completed review of the Panel at our meeting on 6 July 2007 and concurred with the proposals put forward.

### **Key Areas Selected**

7. From a range of measures assessed, the Panel identified a number of enhancements it proposed should be introduced during the 2005/06 Council year, details of which are set out below. There are other enhancements (such as the Council in Committee/Seminar concept) which the Panel felt could be brought in at a later stage once the other measures have become established.

#### **(i) 'State of the District' debates**

8. The Panel were keen to introduce the concept of 'State of the District' debates, having been impressed by the arrangements in place for these at other local authorities. The Panel stressed the need for these debates to result in positive outcomes, for the meetings to be held once a year and to be linked to the Best Value/Council Plan and budgetary process.

9. State of the District debates focus on the key issues faced not just by the authority, but by the areas and communities within. Such debates symbolise an outward looking Council and often involve, at part of the meeting itself, representatives of other stakeholders and the public generally, as part of a community planning process.

10. The aim is for officers to work on the detailed operational arrangements with a view to the first 'State of the District' debate being held during Autumn 2006.

#### **(ii) 'Single Issue' Council meetings**

11. Provision already exists in the Constitution for such debates. The issue is about how this provision should be used and the approach to be taken in evoking it.

12. Reference has been made to the informal public seminar recently held on wheeled bins. The option could be used for similar discussion using a similar approach. The debates might involve consultation with the public and them participating in the discussions and possible voting. In relation to choosing topics for discussion, one possibility might be for this to be rotated between the Groups.

13. The Panel felt this option should be pursued and suggested that only one debate be held in the first instance as a pilot. Again we feel action should be taken to ensure that meetings are followed up to secure a 'positive outcome'. This could be undertaken, for example, by a specific Task and Finish Panel.

#### **(iii) Reports from Overview and Scrutiny/Leader/Portfolio Holders**

14. The Panel agreed that this should involve a written report being submitted to every meeting by each of the Portfolio Holders, the Leader and the Overview and Scrutiny Chairman on current work falling within their spheres of responsibility. The information in their reports should be taken as read and be subject to questions by Members without notice. We are proposing that a maximum of twenty minutes be allocated under this item in respect of verbal questions in each of the three areas and that it should cover any issue under their remit.

15. We have agreed that a protocol be devised for determining the number of questions each Group/individual Member would be entitled to ask during the item and that the question of whether the protocol should take account of the 'pro rata' arrangements will need to be looked at.

**(iv) Questions by Members**

16. The Panel agreed that, alongside a provision for verbal questions, provision should still exist for written questions under notice for which there would be a separate item on the agenda and no time limit for discussion.

**(v) Questions by the Public**

17. The District Council, along with many other local authorities has had difficulty in encouraging the public to submit their questions and participate in the process. The Panel agreed that publicity arrangements for this should be re-assessed. Suggestions for potential improvements include information on the website, local newspapers and an updated version of the booklet providing guidance to the general public. It was also agreed that the operational arrangements connected with questions from the public should be reviewed to identify ways of making them more customer friendly.

**(c) Constitutional Changes**

18. We noted that the officers will be looking at the operational arrangements, including any protocols required in respect of the new arrangements and will be reporting back on these in due course. In the meantime, details of the constitutional changes necessitated to the Council Procedure Rules are identified in bold in the Appendixes attached, with deletions shown by a 'scored' line.

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## Appendix 5

### Report to the Council



**Committee:** Overview and Scrutiny Committee      **Date:** 24 April 2007  
**Chairman:** Councillor R Morgan      **Item:**

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#### 1. COUNCIL MEETINGS - REGULATION OF QUESTION TIME AND REVIEW OF FINANCIAL REGULATIONS

##### Recommending:

- (1) That question time at Council meetings in respect of questions on Portfolio Holder/Chairman of Overview and Scrutiny Committee reports and unscripted questions be managed by the Chairman on the following basis:
    - (a) the twenty-minute period being allocated to both categories of question with no specific timings allocated to either;
    - (b) the Chairman to be enabled to extend the period of twenty minutes by up to a further 10 minutes so as to ensure that all political groups and independent members may have their questions answered;
    - (c) the Chairman of the Council to ensure that questions by members are dealt with in the order in which they are put and that all questions from each political group and from independent members receive a reply; and
  - (2) To note that the Constitution and Member Services Standing Scrutiny Panel has considered draft revisions to financial regulations and is reporting separately to this meeting under delegated authority from this Committee on 7 March 2007.
- 

##### Council Question Time

- 1.1 Approximately 12 months' ago, the Council agreed proposals for making Council meetings more participative. These arrangements included the allocation of 20 minutes within the Council meeting for questions on portfolio holders' written reports and for unscripted questions by members of the Council. One outstanding issue remained to be dealt with, namely how the use of this 20-minute period was to be regulated.
- 1.2 We have looked at a number of options for running the 20-minute session. We have concluded that this is best managed by the Chairman of the Council to avoid

procedures which become unwieldy or difficult to operate. We are thus not recommending any constitutional changes on this matter but simply some broad guidance to the Chairman of Council.

- 1.3 We are appreciative of the way in which the present Chairman of Council has run these sessions. She has allocated the first 10 minutes to questions on written reports and the remaining 10 minutes to unscripted questions. We are recommending that this strict division of timings within the 20 minutes should be replaced by a more flexible approach whereby questions on either subject can be asked at any time within the 20-minutes.
- 1.4 We also feel that in order to deal with occasions where there may be more questions than time available, the Chairman of the Council should have the authority to extend the session by up to 10 minutes if need be.
- 1.5 Finally, we also recommend that the Chairman should be supported in dealing with the political groups and independent members on a fair basis. We recommend that the Chairman should ensure that all questions from Councillors must be answered. This links with the provision for extending the period of question time so as to ensure there is no feeling of bias in regard to the order in which questions are taken.

#### **Review of Financial Regulations**

- 1.6 The Constitution and Member Services Scrutiny Panel has previously reported to the Council under delegated authority on a review of officer delegations and contract standing orders. The one remaining aspect of this review was Financial Regulations and which has now been considered.
- 1.7 The Panel has now completed a review of Financial Regulations and is reporting separately to this meeting.