

HERTFORDSHIRE COUNTY COUNCIL

CABINET
MONDAY, 19 MARCH 2018 at 2.00PM

Cabinet
Agenda Item No.

8

CHANGES TO THE COUNTY COUNCIL'S CONSTITUTION

Report of the Chief Legal Officer

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Executive Member: J D Williams, Leader of the Council

1. Purpose of report

- 1.1 To seek Member approval to changes to the Standing Orders for Council meetings (Annex 6 to the Constitution) as set out in this report.

2. Summary and Background

- 2.1 Amendments are proposed to Standing Order 8 of Annex 6 to the Constitution (Standing Orders for Council Meetings) relating to the time allowed for Questions to Executive Members so that one complete rotation of questions to the Leader of the Council and all members of the Executive can take place prior to the expiry of Executive Member question time. These amendments are being proposed following the meeting of Council in February 2018 where Executive Member question time finished prior to questions being asked to all members of the Executive.
- 2.2 Attached to this Report is an Appendix setting out revisions to Standing Order 8(1) to (8) of Annex 6 to the Constitution to cover the changes to Executive Member question time mentioned in 2.1. The substantive revisions to the current version of Standing Orders for Council Meetings appear in bold italics.
- 2.3 Standing Order 1(2) of Annex 6 to the Constitution provides that the February meeting of Council should be on a weekday not during half-term, to be determined by the Council. The Programme of Meetings September 2018-July 2019 which is being presented to Council at its meeting on 27 March 2018 proposes that the meeting of Council in February 2019 should be held on 19 February which is during half term. Council, therefore, will need to vary Standing Order 1(2) to allow for this meeting to be held during half term.
- 2.4 The Constitution provides that changes to standing orders for Council can only be varied or revoked after consideration of a report from Cabinet.

3. Recommendations

3.1 That Cabinet recommends to County Council that:

- (a) Standing Order 8 (Questions) for Council Meetings of Annex 6 to the Constitution be amended as set out in the Appendix to the Report and incorporated into the County Council's Constitution;
- (b) Subject to Council agreeing the Programme of Meetings September 2018-July 2019 which is being presented to Council at its meeting on 27 March 2018 Standing Order 1(2) of Annex 6 to the Constitution be varied for 2019 by deleting the words 'not during half term';
- (c) the Chief Legal Officer be authorised to make any consequential amendments as may be necessary to the Constitution to give effect to the decisions at (a) and (b) above.

3.2 Cabinet's recommendation/s to Council will be reported orally at the Council meeting and circulated to Members in the Order of Business sheet.

4. Financial Implications

4.1 There are no financial implications arising from this report.

Background Information

None

ANNEX 6 TO THE CONSTITUTION– COUNCIL STANDING ORDERS

STANDING ORDER 8 - Questions

Questions from Members to Leader and Executive Members

- (1) At each meeting of the Council there shall be an opportunity (referred to in this Standing Order as “Question Time”) for members of the Council to put oral questions to the Leader of the Council and Executive Members about the policies and priorities relevant to their portfolios.
- (2) Question Time shall take place at the end of consideration of the Executive Report under Standing Order 7.
- (3) Question Time shall be divided into two parts:
 - (a) Oral questions under Standing Order 8(1) from members who are members of political groups represented on the Council (“Group Question Time”); and
 - (b) Oral questions under Standing Order 8(1) from members who are not members of political groups represented on the Council (“Independent Members Question Time”).
- (4) Group Question Time shall precede Independent Members Question Time and shall involve oral questions being asked in rotation among the political groups, starting with the largest opposition group followed by other opposition groups and concluding with the administration group (“**a full rotation**”), such questions being asked to the Leader of the Council and the Executive Members in **turn** with “**full rotations**” being repeated until the end of Group Question Time **under Standing Order 8(7)(c)**. Questioners shall be nominated by Group Leaders.
- (5) Independent Members Question Time shall follow Group Question Time and shall be an opportunity for members who do not belong to a political group to ask one oral question each, the order of these questions to be decided by the Chairman.
- (6) Each oral question will receive an oral reply unless the person to whom the question is put undertakes to provide a written reply within 7 days. One supplementary question may be asked in relation to each oral question.

(7) Time Limits

(a) Each member asking a question shall have a maximum of 1 minute to ask the question and 1 minute to ask any supplementary question.

(b) A member responding to a question shall have a maximum of 2 minutes to respond to the question and 2 minutes to respond to any supplementary question.

(c) Group Question Time shall end **on the first to occur of (i) or (ii) below:**

(i) when there are no further oral questions **to be asked by** members of political groups

(ii) at the expiration of 1 hour from the start of Group Question Time (**"the 1 hour period"**) or **after the completion of one full rotation** whichever is the **later**

provided that **in the case where the 1 hour period applies as mentioned in (ii) above** if at the end of 1 hour a question is being asked or a response to a question is being given then the question can be asked and responded to or the response given (if the question has been asked before the **end of the 1 hour period**) but no supplementary question shall be asked or responded to after the 1 hour **period**

(8) The minutes of the meeting will record the name of each member asking an oral question and any supplementary question and the name of the member who responded.