

## **Public Question Time at Council Meetings – Protocol and Guidance**

- (1) At ordinary meetings of the Council and other Council Committees and relevant bodies, questions can be asked of the Mayor, Leader of the Council, Cabinet members and the Chairs of committees.
- (2) The total time set aside for such questions and answers will be limited to 15 minutes which can be extended at the Mayor or Chair's discretion.

### **Notice of Questions**

- (3) Written questions, including questions sent by electronic mail, must be received by the Proper Officer no later than 3pm two clear working days before the meeting. This means that for a meeting held on a Thursday, questions must be received by 3pm Tuesday (less any intervening bank holiday).
- (4) The period of notice is to allow sufficient time for a response to be formulated.
- (5) Those providing a written question will receive precedence during Public Question Time, with other questioners who have not provided questions in writing only being heard if time permits;
- (6) In exceptional circumstances and in cases of urgency the Mayor or Chair may allow questions without the full period of notice having been given where he or she is satisfied there is sufficient justification. In these circumstances, there is no guarantee that a full reply will be given at the meeting.
- (7) Notice of each question must include the name and address of the questioner, (in respect of an organisation, the name of the organisation and the questioner's position within the organisation) and to whom the question is to be put.

### **Scope of Questions**

- (8) The question must be relevant to the powers and duties of the Council and be clear and concise. A question will be rejected where it:
  - (a) does not relate to a matter for which the local authority has a responsibility or which affects the council's administrative area;
  - (b) is defamatory, frivolous, offensive, vexatious, unlawful or otherwise improper;
  - (c) relates to any non-determined planning or licensing application;
  - (d) requires the disclosure of confidential or exempt information;
  - (e) names or identifies individual service users, members of staff or members of staff of partner agencies;
  - (f) is considered by the Mayor or Chair to be inappropriate for the particular meeting.
- (9) The Mayor or Chair's ruling on rejection of a question will be final following consultation with the Monitoring Officer.
- (10) Where a question is rejected on the above grounds, the questioner shall be advised of the reasons for rejection. Time permitting, the questioner will be given an opportunity to submit an amended question that will be considered afresh against the criteria in (8). For the avoidance of doubt, questions amended in this way, must be delivered within the timescale referred to at (3) above.

### **At the Meeting**

- (11) Questions will be dealt with in order of receipt subject to the Mayor or Chair's discretion to group together questions on the same or similar subject.
- (12) Where written questions have been submitted within the requisite notice period, and written answers provided, the Mayor or Chair may choose to take these questions and answers "as read". However, if a questioner wishes to ask his or her question at the meeting, he or she will be allowed to.
- (13) If the questioner prefers, the question may be asked on his or her behalf by another person.
- (14) If the questioner is not able to be present at the meeting and has not made arrangements for someone else to ask the question on their behalf, the Mayor or Chair will indicate that a written reply will be given.
- (15) Subject to time constraints, questions which are submitted in writing by the deadline as referred to in (3) above will be answered at the meeting.
- (16) However, the Mayor or Chair in consultation with the Monitoring Officer may refer a question to officers for a direct written response if they consider the question can be most appropriately handled in that way.
- (17) Where a question is dealt with in the way described in (16) above, the questioner will be advised of this and provided with a response where possible within ten clear working days of the meeting and this will be copied to all councillors where this is for a meeting of the Council or to all members serving on the Council body concerned.
- (18) The relevant councillor or another Member on their behalf will aim to provide a response to a public question in advance of, or at, the meeting and this will, if required and requested, be followed up by a written copy of the response being sent to the questioner where possible within ten working days of the meeting.
- (19) Where it is not possible to provide a response at the meeting, a written response will be sent to the questioner where possible within ten working days of the meeting.
- (20) Any questions for which notice has been given in accordance with (3) above which cannot be dealt with during the time allocated for public questions, or where no advance notice has been provided and an immediate response cannot be provided will be dealt with by a written response sent to the questioner where possible within ten working days of the meeting and copied to all councillors.

### **Supplementary Questions**

- (21) A questioner will be permitted to ask one supplementary question, irrespective of how many questions s/he may have asked, which must be relevant to the original question or arise from the response given. The Mayor or Chair may reject the supplementary question on the grounds listed in (8) above (Reasons for rejection).
- (22) The Member to whom the question has been put or another Member on their behalf, shall answer the supplementary question if he or she is able to do so at the time. If this is not possible, a written response will be provided to the

questioner where possible within ten working days of the meeting.

### **Form of Response**

- (23) A response may take the following forms:
- a) a direct oral answer;
  - b) where the answer is contained within a publication of the Council or in any report or minutes by reference to those documents;
  - c) a written reply.

### **No Debate or Discussion on Questions**

- (24) No debate shall be allowed on questions presented or responses given.
- (25) In exceptional circumstances only, the Mayor or Chair may allow discussion involving other councillors.
- (26) No decision can be made arising from a question other than to refer it to the appropriate Council body by way of a motion which shall be moved, seconded and voted on without discussion.

### **Circulation of Questions and Responses**

- (27) As soon as practicable following receipt of a written question, copies will be circulated to the Member of the Council or Council body to whom the question is to be put and any other relevant councillors.
- (28) Copies of questions received in accordance with Standing Orders and this Protocol and Guidance will be provided to all councillors as appropriate prior to the meeting.
- (29) Copies of responses where available, will be circulated to councillors at the meeting unless this is not possible due to exceptional circumstances.

### **Record of questions**

- (30) The minutes of the meeting shall only record the name of the questioner (or in respect of an organisation, the name of the organisation and the questioner's position within the organisation), the subject matter, and the name of the person replying.
- (31) Copies of written questions and responses made available at a meeting and that are considered in accordance with Standing Orders and this Protocol and Guidance will also be made available subsequently on the Council's website.