

Report to: Governance Committee

Date of meeting: 28 September 2023

By: Assistant Chief Executive

Title: Amendment to Constitution – Public questions

Purpose: Governance Committee is to consider whether to recommend to Council amending the Constitution in relation to the right for members of the public wishing to ask a question at full council.

RECOMMENDATION:

The Governance Committee is recommended to recommend the County Council to agree to the proposed amendment to the Constitution set out in paragraph 1.4 of the report.

1 Background Information

1.1 Standing Order 42 of the Constitution sets out the arrangements for questions from members of the public. Paragraph 42.2 states that a question must be a genuine enquiry and not a statement. At each ordinary meeting a period of up to 30 minutes shall be set aside for questions from residents or by individuals who work in East Sussex.

1.2 Officers have been asked to consider whether the Constitution could be amended to bring greater clarity to an area of potential confusion relating to the asking of questions by members of the public at Full Council. Whilst the Constitution permits a questioner to ask a supplementary question experience has shown that members of the public often wish to provide some background and context and to their further question. This can give rise to some confusion as to whether or not this forms part of the question and is therefore permitted. It is a matter for the Council to determine arrangements for questions at Council meetings. There is variable practice across local authorities and the level of take-up by the public of the facility to ask questions also varies considerably across authorities.

1.3 The Committee is asked to consider whether members of the public wishing to ask a supplementary question at full council should be permitted to include a short statement as a prelude to their question. A time limit of up to three minutes has been suggested for both any introductory statement and the supplementary question. It is not proposed that any of the arrangements for written questions or the total allocated time set aside for questions should be amended.

1.4 The Committee is asked to consider a minor amendment to the Standing Orders, as follows:

a) A new Standing order 42.6 be inserted as follows:

42.6 Questioners may include a short statement (which may include a point of clarification, brief contextualising background or summary rationale) as a preface to the question or any supplementary question. The questioner's statement and question combined should be limited to a maximum of three minutes.

b) and existing standing orders 42.6 and 42.7 be renumbered accordingly.

1.5 In order to improve public participation at Full Council, it is recommended that the Committee to Council agree to the changes to the Constitution as set out in paragraph 1.4 above.

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Local Member: All

Background Documents: None