COUNCIL

Report of: Acting Head of Legal and Committee Services

Date: 11 December 2014

NOTICE OF MOTION RELATING TO ANSWERS TO QUESTIONS TO COUNCIL

Corporate Governance Committee on 17 November 2014 considered a report by the Monitoring Officer/Acting Head of Legal and Committee Services arising out of a Notice of Motion submitted by Councillor D M Bryan which had been referred to the Committee for consideration and report back to Council for determination; such Motion being in the following terms:

Earlier this year a situation arose where due to my being hospitalised my question for Full Council was not answered in the Chamber. The question was very relevant to the actions of Councillor Robert Lewis that had been brought to the Ombudsman’s attention. Instead the Leader said that due to my absence it would be answered in written form direct to myself.

The fact that neither my fellow colleagues nor the public have any idea of that written answer is not in the spirit of transparency.

The feeling amongst the public, rightly or wrongly, was that the answer was probably not addressing the very serious concerns of the question.

This lack of openness was compounded by the fact that in the Minutes of that meeting no mention at all was made of either the question or the answer.

This Notice of Motion is that in future any question that is asked in Full Council is answered in the Chamber that day regardless of whether the questioner is present or not.

Councillor Bryan’s written submission in support of his Notice of Motion is attached as an Appendix.

In considering the matter, the Committee noted the following:

- The procedure for answering questions submitted by Members was contained in Procedure Rule 9 of the Constitution.

- The Model Constitution did not contain a provision relating to answers in the event of the absence of the Member asking a question but, for efficiency purposes, did contain provisions limiting the number of questions that might be asked (i) at any one meeting and (ii) by a Member at a meeting. Although such provision had been considered by the Constitutional Issues Working Group, the Working Group had not come to a conclusion on its merits.
It was possible that, as the question would be stated on the agenda, the answer could be read out at the meeting. However, the Member nominated to ask a supplementary question would have to be identified prior to the commencement of the meeting by the Member originally asking the question. Furthermore, the nominated Member would need to be instructed on the content of any supplementary question.

That the identity of the nominated Member should be made known to the Head of Legal and Committee Services by 9.00 am on the day of the meeting.

Councillor Bryan addressed the Committee in support of his Notice of Motion and he stated that he welcomed the recommendation as it recognised the rationale put forward in his supporting submission.

The Committee’s Decision was to make the recommendation as set out below.

RECOMMENDATION:

That Council be recommended that the Notice of Motion be adopted.

Background Documents: The Council’s Constitution
The Model Constitution
Questions that are raised for Full Council, even if the questioner is not physically present that day in a Full Council meeting, should in my opinion be given the respect they deserve. They should be answered verbally that day, a supplementary should be asked by a nominee of the absent questioner and the contents of the entire question and answer session should be minuted in the papers for the subsequent Full Council.

Transparency and openness is what Pembs County Council should be achieving. Without this process being followed the residents of this county will be feeling that there are facts that the ruling group are trying to cover up.

Councillor D M Bryan