

Extract from Part 2, Chapter 4 (The Assembly) of the Constitution

9. Members' Questions

Questions without notice

- 9.1 Any Member may ask the Leader, a Cabinet Member or the Chair of a Committee any question without notice upon an item of report or recommendation of the Cabinet or Committee concerned, immediately following the presentation of that matter.

Questions With Notice

- 9.2 Written notice of any questions relating to matters not on the agenda must be received by the Chief Executive by no later than noon on the Wednesday ~~Friday~~ of the week before the Assembly meeting. ~~All questions must indicate the name of the Councillor asking the question at the time that the written notice of the question is provided.~~ Any Councillor may submit a maximum of two questions, either directly him/herself or via the Group Secretary.
- 9.3 The Chief Executive may reject a written question if, in his/her opinion:
- (a) it is of a vexatious or derogatory nature or otherwise considered improper or inappropriate;
 - (b) is contrary to any provision of any code, protocol, legal requirement or rule of the Council;
 - (c) it does not relate to the business of the Council;
 - (d) it is substantially the same as another written question previously submitted under this process and considered at the Assembly within the previous twelve months.
- 9.4 Where the Chief Executive rejects a written question on any of the above grounds, he/she shall inform the Chair and the Councillor who submitted the question as soon as possible. Prior to determining whether to accept or reject a question, the Chief Executive may seek clarification or propose alternative wording to the Councillor who submitted the question.
- 9.5 Wherever possible, answers will be given at the meeting by the appropriate Councillor (usually the relevant Cabinet Member or Leader). In the event that it is not possible to do so, a written response will be sent to all Councillors as soon as possible.
- 9.6 In the event that the Councillor who submitted the question is not present at the Assembly meeting, the question will be withdrawn.
- 9.7 Any questions withdrawn as indicated above, or withdrawn at the request of the Councillor who submitted the question, either before or during the meeting, may not be resubmitted to the Assembly within a period of six months. This condition will be waived where the Councillor, or a colleague on their behalf, has notified the Chief Executive by 5.00pm on the day of the meeting of their

inability to attend due to their ill health or other reason accepted by the Chief Executive.

- 9.8 Where a Councillor wishes to exercise the right under Section 71(5) of the Local Government and Housing Act 1989 to ask a question of Councillors or officers involved (as Member, Director or Council's representative) in connection with Local Authorities' Interest in Companies, he/she should give notice in writing to the Chief Executive at least seven clear working days before the Assembly meeting at which this matter is to be submitted to enable a response to be given at the meeting.
- 9.9 After the initial answer, the Councillor who submitted the question may ask one supplementary question arising directly out of the initial question or answer, without notice, and the person who answered the initial question shall respond to the supplementary question wherever possible. There shall be no further debate on the issue.
- 9.10 Any questions which are not dealt with by the close of the meeting will be responded to in writing by the appropriate Councillor before the next meeting.

10. Motions With Notice

- 10.1 Written notice of any motions must be received by the Chief Executive by no later than 4.00pm on the Wednesday two weeks before the meeting, except in respect of a vote of no confidence in the Leader of the Council for which the process in paragraph 13 applies.
- 10.2 A notice of motion must relate to a matter which affects the Council or its area and must relate to a matter in respect of which the Council has a relevant function. There is no limit on the number of motions that a Councillor may submit but the notice of motion must be submitted either by the Councillor who is proposing the motion or via the Group Secretary.
- 10.3 A notice of motion may be in more than one part and contain more than one recommendation, but must all relate to the same subject matter.
- 10.4 The Chief Executive may reject a notice of motion if, in his/her opinion:
- (a) it is of a vexatious or derogatory nature or otherwise considered improper or inappropriate;
 - (b) is contrary to any provision of any code, protocol, legal requirement or rule of the Council;
 - (c) it does not relate to the business of the Council;
 - (d) is substantially the same as another motion already considered at the Assembly within the previous twelve months.
- 10.5 Where the Chief Executive rejects a notice of motion on any of the above grounds, he/she shall inform the Chair and the Councillor who submitted the notice of motion as soon as possible. Prior to determining whether to accept or reject a motion, the Chief Executive may seek clarification or propose alternative wording to the Councillor who submitted the motion.