

## ROTHERHAM BOROUGH COUNCIL

### STANDING ORDERS

#### PART I COUNCIL MEETINGS

*Annual meeting etc*

#### **7 General questions by members at council meetings**

<i>Current Standing Orders</i>	Self Regulation Select Commission Proposals	Comments of the Monitoring Officer
<p><i>General questions to members of the Cabinet and committee chairpersons</i></p> <p>(1) A member may, subject to sub-paragraphs (7) and (11), ask a general question of a member of the Cabinet (or his/her representative) or the chairperson (or his/her representative) of a committee that is relevant to the affairs of the Council or the borough.</p> <p>(2) A general question asked under sub-paragraph (1) must not exceed 50 words in length and –</p> <p>(a) must not relate to a matter contained in the Council Minute Book which is before the Council for consideration;</p> <p>(b) must not relate to an individual case; and</p>		
<p>(c) must not without the Mayor's consent repeat or substantially repeat any question that has been asked and answered at a meeting of the Council in the six months preceding the date of the meeting.</p>	<p><i>must not without mayor's consent, repeat or substantially repeat any question that has been asked and answered in the preceding three council meetings</i></p>	<p><i>Supported</i></p>
<p>(3) Following the reply to a question put under sub-paragraph (1), the member who asked the question may ask a supplementary</p>		

<p>question of the member of the Cabinet (or his/her representative) or the chairperson of the committee (or his/her representative) who responded to the question.</p> <p>(4) A supplementary question under sub-paragraph (3)-</p> <p>(a) must relate to the subject matter of the original question and answer; and</p> <p>(b) must be fair and reasonable.</p>		
<p><i>Questions to be put to representatives nominated to joint authorities and other bodies</i></p> <p>(5) On the conclusion of questions asked under sub-paragraphs (1) and (3), a member may, subject to sub-paragraph (7), ask a question of a member (or his/her representative) who -</p> <p>(a) sits as a member of one or more of the joint authorities or other bodies specified in sub-paragraph (6); and</p> <p>(a) who has been nominated by the authority concerned to answer questions on the discharge of the functions of the authority,</p> <p>and following the reply to a question put under this sub-paragraph the member who asked the question may ask the member who responded to the question a supplementary question in accordance with sub-paragraph (4).</p>		

<p>(6) The authorities and bodies referred to in sub-paragraph (5) are –</p> <p>(a) the South Yorkshire Police and Crime Panel;</p> <p>(b) the South Yorkshire Fire and Rescue Authority;</p> <p>(c) the South Yorkshire Passenger Transport Authority;</p> <p>(d) the South Yorkshire Pensions Authority; and</p> <p>(e) the Sheffield City Region Combined Authority</p>		
<p><i>Notice of questions</i></p> <p>(7) A member must give at least two days' notice in writing to the Chief Executive, before the day of the council meeting, of a question to be put</p>	<p><i>A member must submit a question to be put at the Council meeting, in writing to the Chief Executive by 10.00am three working days before the day of the council meeting (ordinarily by 10.00am the Friday preceding a Council meeting the following Wednesday) ,</i></p>	<p>Supported</p>
<p>(a) to a member of the Cabinet or the chairperson of a committee; or</p> <p>(b) to a member who is both a representative of the Council and the nominee of a joint authority specified in sub-paragraph (6).</p>		

<p>(8) The Director of Legal and Democratic Services, or the officer delegated by him/her to carry out this task, shall draw up a list of questions, and may group together questions addressed to the same member of the Cabinet or chairperson of a committee that relate to the same subject matter. If a question from a member substantially duplicates a question of which another member has already given notice, the Director of Legal and Democratic Services may exclude the latter question after consulting the member who submitted it.</p>	<p><i>New (8a) If a question is determined to substantially duplicate a question from another member and is excluded from the agenda; that the original questioner is allowed to ask a supplementary question that relates to the subject of his/her original question</i></p>	<p>Supported</p>
<p><i>Manner of answering questions</i></p> <p>(9) In accordance with this standing order, a question and reply shall be put and answered without debate, but the member to whom a question has been addressed may decline to answer.</p> <p>(10) Questions may be answered by –</p> <p>(a) responding directly to the question put;</p> <p>(b) referring the member to a publication of the Council; or</p> <p>(c) undertaking to provide a written answer for circulation to the members of the Council.</p>		
<p>(11) There shall be a guillotine</p>		<p>The complete removal</p>

<p>on the asking and answering of general questions and supplementary questions after 30 minutes, but the Mayor at his/her discretion can extend this period if it appears to him/her that the remaining questions may be disposed of promptly.</p> <p>(12) A question which is not answered as a result of the guillotine shall be answered in writing.</p>	<p>That this standing order be deleted and subsequent sections be renumbered</p>	<p>of the guillotine will result in their being no formal route for the Mayor to end the general questions by members' session. Therefore the potential is for this section of the agenda to continue for a significant length of time and could mean that later agenda items are not dealt with.</p> <p>An alternative proposal would be to lengthen the time before the imposition of the guillotine, to say, 60 minutes, and retain the ability of the Mayor to extend this period. This would result in an appropriate amount of time being dedicated to members' questions whilst leaving the Mayor with the discretion to control the overall length of the meeting.</p>
<p><i>Absence of member</i></p> <p>(13) In the absence of a member who gave notice of a question, that question shall fall and shall not be answered.</p>	<p><i>in the absence of a member who gave notice of a question and who has submitted his/her apologies, the question will receive a written answer</i></p>	<p>Supported</p>
	<p>(14) <i>Urgent Matter</i>  <i>If an emergency issue or event occurs in the period between the deadline for submission of questions and 12.00pm the day of the council meeting; a member may approach the Chief Executive to ask that a question relating to the event can be asked to a member of the Cabinet or the chairperson of a committee; or to a member</i></p>	<p>Supported</p>

	<i>who is both a representative of the Council and the nominee of a joint authority specified in sub-paragraph (6)</i>	
<p><b>8 General questions by members of the public at council meetings</b></p> <p><i>General questions to the Mayor, members of the Cabinet and committee chairpersons</i></p> <p>(1) Subject to sub-paragraph (9), a member of the public may ask one general question of the Mayor, a member of the Cabinet (or his/her representative) or the chairperson (or his/her representative) of a committee</p>		
<p><i>Notice of questions</i></p> <p>(2) A member of the public must give at least two days' notice in writing to the Chief Executive, before the day of the council meeting, of any question to be put to the Mayor, a member of the Cabinet or the chairperson of a committee.</p> <p>(3) The notice, given under sub-paragraph (2), must contain the text of the question and the question must not exceed 50 words in length.</p>	<p><i>A member of the public must submit a question to be put to the Mayor, a member of the Cabinet or the chairperson of a committee, in writing to the Chief Executive by 10.00am three working days before the day of the council meeting, (ordinarily by 10.00am the Friday preceding a Council meeting the following Wednesday)</i></p>	Supported

*Acknowledgement of receipt  
of notices etc*

(4) The Chief Executive shall date and number the notice on receipt and enter it in a book kept for that purpose in his office.

(5) The Mayor, after taking su

(a) exclude a question from the order of business for the meeting on the ground that the question concerns a matter which is outside the Council's area of responsibility or influence or is offensive or unlawful; or

(b) make clerical amendments to a question in order to render it fit for adding to the order of business for the meeting.

*Manner of answering questions*

(6) The Mayor shall invite the member of the public to read aloud any question submitted in accordance with this standing order and invite the appropriate member of the Cabinet (or his/her representative) or chairperson (or his/her representative) of the appropriate committee to reply.

(7) In accordance with this standing order, a question and reply shall be put and answered without debate, but the member to whom a question has been addressed may decline to answer.

(8) A question may be answered by –

(a) responding directly to the question put;

(b) referring the questioner

<p>to a publication of the Council; or</p> <p>(c) undertaking to provide a written answer to the questioner and to circulate the answer to the members of the Council.</p>		
<p><i>Supplementary questions</i></p>		

<p>(9) If a question put in accordance with this standing order is answered, the questioner may ask with the Mayor's permission one supplementary question.</p> <p>(10) The member to whom a supplementary question has been put may decline to answer, may reply in one of the ways specified in subparagraph (8), or may nominate another member of the Council to reply on his/her behalf.</p>		
<p><i>Questions by members of the public at the annual Council meeting</i></p> <p>(11) A member of the public may submit a written question prior to the annual meeting in accordance with this Standing Order. Any such questions will not be considered at the annual meeting or listed upon the agenda. However a written response will be provided in accordance with paragraph 8(c) of this standing order.</p>		

<p><b>8A Presentation of petitions by members of the public at council meetings</b></p> <p>(1) Subject to subparagraph (3), a member of the public may present a qualifying petition and speak for a maximum of five minutes.</p> <p>(2) Subject to subparagraph (3), a member of the public may ask a member to present a qualifying petition on his/her behalf.</p> <p>(3) A qualifying petition is a petition within the meaning of paragraphs 5, 6, 7, 9 and 12 of the Council's <i>Scheme for Handling Petitions</i>, notice of which has been given at least ten days before the day of the council meeting.</p>		
<p><b>8B Debate on petition</b></p> <p>(1) A qualifying petition with signatures meeting the threshold set out in paragraph 19 of the Council's <i>Scheme for Handling Petitions</i> will automatically trigger a debate of the Council, except where the petition is asking for a senior council officer to give evidence at a public meeting.</p> <p>(2) A petition meeting the criteria set out in subparagraph (1) may be debated at the meeting at which it is presented, or at a later meeting.</p> <p>(3) There shall be a</p>	<p>(1) A qualifying petition with signatures meeting the threshold set out in paragraph 19 of the Council's <i>Scheme for Handling Petitions</i> will automatically trigger a debate of the Council, except where the petition is asking for a senior council officer <i>and/or member(s) of Cabinet</i> to give evidence at a public meeting.</p>	<p>Supported</p>

<p>guillotine on the debate of a petition of 15 minutes, after which the vote will be put, unless the Mayor at his/her discretion extends the debate.</p> <p>(4) The Council shall decide how to respond to the petition and shall decide either –</p> <p>(a) to take the action the petition requests;</p> <p>(b) not to take the action the petition requests for reasons stated in the debate;</p> <p>(c) to commission further investigation into the matter, which may include reference to a particular committee for its views, prior to consideration at a future meeting of the Council; or</p> <p>(d) to refer the petition to the Cabinet where it relates to an executive function, in which case the Council may make recommendations to the Cabinet.</p>		
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