

Appendix A – proposed tracked changes

3.18 Questions by the public

- 3.18.1 Members of the public may ask questions of the Leader and Members of the Executive at Ordinary Meetings of the Council.
- 3.18.2 Questions will be asked in the order notice of them was received, except that the Chairman may group together similar questions.
- 3.18.3 A question may only be asked if notice has been given by delivering it in writing or by electronic mail to democratic.services@eastherts.gov.uk no later than midday, three working days before the meeting. Each question must give the name and address of the questioner and must name the Member of the Council to whom it is to be put.
- 3.18.4 At any one meeting no person may submit more than one question and no more than one such question may be asked on behalf of one organisation.
- 3.18.5 The Monitoring Officer may reject a question if it:
- (a) is not about a matter for which the council has a responsibility or which affects the district;
 - (b) is defamatory, frivolous or offensive;
 - (c) is substantially the same as a question which has been put at a meeting of the Council in the past six months;
 - (d) requires the disclosure of Confidential or Exempt Information; or

- (e) contravenes the rules around the Pre-Election Period of Sensitivity, where such rules are in place from time to time.

3.18.6 All questions and answers given will be summarised in the minutes of the meeting [with full written answers to submitted questions, whether asked at the meeting or not, published as soon as possible after the meeting.](#)

[3.18.7](#) [The time allowed for consideration of any questions submitted under 3.18 shall not exceed 20 minutes unless the Chairman consents to a longer period to \(a\) enable the conclusion of the asking and answering of a question, including the asking and answering of any supplementary question or \(b\) they make known at the meeting but prior to commencement of the Public Questions item that they are allowing a longer time, in which case the longer period must be specified and a further extension as allowed for under criterion \(a\) shall be allowed at the Chairman's discretion.](#)

3.18.[78](#) The Chairman will invite the questioner to put the question to the Member named in the notice. If a questioner who has submitted a written question is unable to be present, or if they so elect, they may ask the Chairman to put the question on their behalf. The Chairman may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with. [The questioner will have up to one minute to ask a question and the Members responding shall have up to two minutes to respond.](#)

~~3.18.8 The time allowed for consideration of any questions submitted under 3.18 shall not exceed 15 minutes unless the Chairman consents to a longer period.~~

3.18.9 A questioner who has put a question in person may also put one supplementary question without notice to the Member who has replied to their original question. A supplementary question must arise directly out of the original question or the reply. The Chairman may reject a supplementary question on any of the grounds in paragraph 3.18.5 above. The questioner will have up to one minute to ask a supplementary question and the Member responding shall have up to one minute to respond.

3.18.10 Any question which cannot be dealt with during Public Question time, either because of lack of time or because of the non-attendance of the Member to whom it was to be put, will be dealt with by a written answer. ~~Any answers which cannot be given during the meeting due to lack of time will also be summarised in a supplementary document to be published as soon as practical after the meeting.~~

3.18.11 Unless the Chairman decides otherwise, no discussion will take place on any question, but any Member may move that a matter raised by a question be referred to the Executive or the appropriate Committee or Sub-Committee. Once seconded, such a motion will be voted on without discussion.

3.19 Questions by Members

3.19.1 A Member of the Council may ask the Leader or Chairman of a Committee any question without notice upon an item of the report of the Executive or a Committee or statement by the Leader when that item is being received or under consideration by the Council.

3.19.2 A Member of the Council may ask:

- (a) the Chairman;
- (b) the Leader;
- (c) a Member of the Executive; or
- (d) the Chair of any Committee or Sub-Committee

a question on any matter in relation to which the council has powers or duties or which affects the district.

3.19.3 A Member of a Committee or Sub-Committee may ask the Chairman of it a question on any matter in relation to which the council has powers or duties or which affect the district and which falls within the terms of reference of that Committee or Sub-Committee.

3.19.4 A Member may only ask a question under paragraph 3.19.2 or 3.19.3 if either:

- (a) they have given notice in writing of the question to the Monitoring Officer, which has been received not later than midday, three working days before the meeting; or
- (b) the question relates to urgent matters, they have the consent of the Chairman to whom the question is to be put and the content of the question is given to the Monitoring Officer by midday on the day of the meeting.

- 3.19.5 Questions will be asked in the order notice of them was received, except that the Chairman may group together similar questions.
- 3.19.6 A Member may ask only two questions under 3.19.2 or 3.19.3 except with the consent of the Chairman of the Council, Committee or Sub-Committee.
- 3.19.7 The Monitoring Officer may reject a question if it:
- (a) is not about a matter for which the council has a responsibility or which affects the district;
 - (b) is defamatory, frivolous or offensive;
 - (c) is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
 - (d) contravenes the rules around the Pre-Election Period" of Sensitivity, where such rules are in place from time to time
- 3.19.8 The time allowed for consideration of any questions submitted under 3.19.2 or 3.19.3 shall not exceed 20 minutes unless the Chairman consents to a longer period to (a) enable the conclusion of the asking and answering of a question, including the asking and answering of any supplementary question or (b) they make known at the meeting but prior to commencement of the Member Questions item that they are allowing a longer time, in which case the longer period must be specified and a further extension as allowed for under criterion (a) shall be allowed at the Chairman's discretion.

3.19.9 A Member asking a question under 3.19.2 and 3.19.3 and a Member answering such a question shall ensure that the question and the reply is succinct. A Member will have up to one minute to ask a question and the Member responding shall have up to two minutes to respond.

~~3.19.9 The time allowed for consideration of any questions submitted under 3.19.2 shall not exceed 15 minutes unless the Chairman consents to a longer period.~~

~~3.19.10 Any remaining questions shall be responded to in writing before the next Ordinary Meeting of the Council. Any answers which cannot be given during the meeting due to lack of time will also be summarised in a supplementary document to be published as soon as practical after the meeting.~~

3.19.110 Every question on notice will be answered without discussion. The Member who is asked the question on notice may ask another Member to answer. An answer may take the form of:

- (a) a direct oral answer;
- (b) where the desired information is in a publication of the council or other published work, a reference to that publication;
- (c) a written answer circulated later to the questioner;
or
- (d) a combination of any of the above

3.19.112 If the Member who gave notice of a question is not present at the meeting, the question shall be noted and the Member to whom the question was asked shall reply.

3.19.132 A Member asking a question under paragraph 3.19.2 or 3.19.3 may ask one supplementary question without notice of the Member to whom the first question was asked. The supplemental question must arise directly out of the original question or the reply. The Chairman has the right to prevent any Members from asking a protracted supplementary question or giving a protracted answer. A Member will have up to one minute to ask a supplementary question and the responding Member shall have one minute to respond.

3.19.134 If the Member who gave notice of a question is not present at the meeting, there ~~will~~may be no supplementary question after the Member to whom the question was asked has given their response.

3.19.15 All questions and answers given will be summarised in the minutes of the meeting with full written answers to submitted questions, whether asked at the meeting or not, published as soon as possible after the meeting.