

### Changes relating to supplementary questions

#### 38. Question Time

- (a) A period of not more than 40 minutes shall be allowed to ask and respond to questions raised under this item.
- (b) Any non-executive member (except the Mayor and Deputy Mayor) may submit a written question to the Executive on any matter which is the responsibility of the Executive. Such written question shall consist of not more than 50 words and shall be submitted to the Democratic Services Manager at least 5 clear days prior to the next ordinary meeting of Full Council at which a Question Time will take place. Only one written question may be submitted by each non-executive member in the period between each Question Time. All such written questions shall be responded to by the Executive within three weeks of receipt of the written question unless a longer period is required for some special reason.
- (c) The leader of the largest opposition group may, by serving notice on the Democratic Services Manager by 12 noon on the day of the deadline specified in paragraph (b) above, select up to five members from his or her group who have submitted written questions in accordance with paragraph (b) to each ask one supplementary question relating to the subject matter of that member's original written question.
- (d) The leader of the largest administration group may, by serving notice on the Democratic Services Manager by 12 noon on the day of the deadline specified in paragraph (b) above, select three member from his or her group who have submitted written questions in accordance with paragraph (b) to ask one supplementary question relating to the subject matter of that member's original written question. ~~In order for a member to be eligible, their written question must have been submitted within the timescale specified in paragraph (b) above (whether or not a written response has already been provided to them under that paragraph (b)).~~
- (e) The leader of the second largest administration group may, by serving notice on the Democratic Services Manager by 12 noon on the day of the deadline specified in paragraph (b) above, select two members from his or her group who have submitted written questions in accordance with paragraph (b) to each ask one supplementary question relating to the subject matter of that member's original written question. ~~In order for a member to be eligible, their written question must have been submitted within the timescale specified in paragraph (b) above (whether or not a written response has already been provided to them under that paragraph (b)).~~
- (f) Any other non-executive member who has not already asked a supplementary question in the current municipal year and who has submitted a written question in accordance with paragraph (b), may, by serving notice on the Democratic Services Manager by 12 noon on the day of the deadline specified in paragraph (b), ask a supplementary question relating to the subject matter of that member's original written question.
- (g) Prior to the relevant meeting the original written questions submitted to the Democratic Services Manager shall be circulated to all members together with any written response that has been received from the Executive.
- (h) The members selected by the leader of the largest opposition group shall be called first to ask their supplementary questions followed by the member selected by the leader of the largest administration group followed by members selected by the

Appendix 1

leader of the second largest administration group followed by any other non-executive members who have submitted supplementary questions.

- (i) Each member shall have up to 2 minutes to ask their supplementary question which must relate to the subject matter of their original written question. A written note of the supplementary question to be asked at the meeting or a summary of it shall be provided to the Democratic Services Manager immediately prior to it being asked.

(j) A member of the Executive shall have up to 2 minutes to respond to the supplementary question.

(j)(k) In the event that a non-executive member does not attend the meeting at which their supplementary question is to be asked or chooses not to ask his or her supplementary question then the question may be asked by another member of his or her group.

## Special meetings

### 26. Types of Meeting

- (a) Full Council shall hold an **Annual Meeting** each year, to be held on such day in the month of March, April or May as the Council may determine.
- (b) The Council may in every year hold, in addition to the Annual Meeting, such other meetings on such days as it may determine which shall be called **Ordinary Meetings**.
- (c)\* *A meeting called by the Mayor (or, in the absence of the Mayor, by the Deputy Mayor) or otherwise called under the provisions of paragraph 3 of Part I of Schedule 12 of the Local Government Act 1972 is referred to as an "Extraordinary Meeting".*

(d) If required by law or otherwise a **Special Meeting** may be held for the principal purpose of transacting a specific item or specific items of business.

**Provisions of documents electronically**

**1\*. Constitution to be given to members**

A ~~printed~~ copy of the Constitution shall be ~~given to~~ made available each every member of the Council by the Democratic Services Manager upon delivery of the member's declaration of acceptance of office.

**Comment [d1]:** The printed version of the Constitution quickly becomes out of date. It would be preferable to provide members with access to the up to date online version. Printed copies could still be provided where there was good reason.

**23. Developing proposals for the budget and capital programme**

- (a) In the case of the Council's annual budget and the capital programme the Budget Panel shall, prior to the First Reading Debate, meet (on more than one occasion if necessary) to consider the financial position statement prepared by the Director of Finance and Corporate Resources, and to receive evidence from Service Area Directors regarding what they consider to be the critical issues for their respective departments.
- (b) The Executive shall present a report from the Director of Finance and Corporate Resources to Full Council setting out the financial position of the Council, financial forecasts for the following year and the possible expenditure priorities of the executive. There shall then be a debate on the issues raised in that report held in accordance with Standing Order 44 hereinafter called a "First Reading Debate".
- (c) Following the First Reading Debate a record of the debate shall be made available on the Council's website. ~~sent by the Democratic Services Manager to the Leader of the Council and the Chair of the Budget Panel both of whom may wish to undertake appropriate consultation with others~~

**Comment [d2]:** This change makes the information available to everyone and not just the Leader of the Council and the Chair of the Budget Panel.

**Delegation of functions**

<b>D. Functions relating to elections</b>		
1. Duty to appoint an electoral registration officer.	Section 8(2) of the Representation of the People Act 1983.	Full Council
2. Power to assign officers in relation to requisitions of the registration officer.	Section 52(4) of the Representation of the People Act 1983.	Chief Executive
3. Functions in relation to parishes and parish councils.	Part II of the Local Government and Rating Act 1997 and subordinate legislation under that Part.	N/A
4. Power to dissolve small parish councils.	Section 10 of the Local Government Act 1972.	N/A
5. Power to make orders for grouping parishes, dissolving groups and separating parishes from groups.	Section 11 of the Local Government Act 1972.	N/A
6. Duty to appoint returning officer for local government elections.	Section 35 of the Representation of the People Act 1983.	Full Council
7. Duty to provide assistance at European Parliamentary elections.	Section 6(7) and (8) of the European Parliamentary Elections Act 2002.	Chief Executive
8. Duty to divide constituency into polling districts.	Section 18A – E of, and Schedule A1 to the Representation of the People Act 1983.	Full Council
9. Power to divide electoral divisions into polling districts at local government elections.	Section 31 of the Representation of the People Act 1983.	Full Council
10. Powers in respect of holding of elections.	Section 39(4) of the Representation of the People Act 1983.	N/A

Appendix 4

11. Power to pay expenses properly incurred by electoral registration officers.	Section 54 of the Representation of the People Act 1983.	Chief Executive
12. Power to fill vacancies in the event of insufficient nominations.	Section 21 of the Representation of the People Act 1985.	N/A
13. Duty to declare vacancy in office in certain cases.	Section 86 of the Local Government Act 1972.	Chief Executive
14. Duty to give public notice of a casual vacancy.	Section 87 of the Local Government Act 1972.	Chief Executive
15. Power to make temporary appointments to parish councils.	Section 91 of the Local Government Act 1972.	NA
16. Power to submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000.	Section 10 of the Representation of the People Act 2000.	
<u>17. Duty to consult on change of scheme for elections.</u>	<u>Sections 33(2), 38(2) and 40(2) of the Local Government and Public Involvement in Health Act 2007</u>	<u>Chief Executive</u>
<u>18. Duties relating to publicity</u>	<u>Sections 35, 41 and 52 of the Local Government and Public Involvement in Health Act 2007</u>	<u>Chief Executive</u>
<u>19. Duties relating to notice to Electoral Commission</u>	<u>Sections 36 to 42 of the Local Government and Public Involvement in Health Act 2007</u>	<u>Chief Executive</u>
<u>20. Power to alter years of ordinary elections of parish councillors</u>	<u>Section 53 of the Local Government and Public Involvement in Health Act 2007</u>	<u>Full Council</u>

**Comment [d3]:** This will not apply to the Council but is inserted because this Table replicates the Schedule in the original regulations.

Appendix 4

<a href="#"><u>21. Functions relating to change of name of electoral area</u></a>	<a href="#"><u>Section 59 of the Local Government and Public Involvement in Health Act 2007</u></a>	<a href="#"><u>Full Council</u></a>
<a href="#"><u>1722.</u></a> Any other election related functions which by statutory instrument or order are or become functions which cannot be exercised by the Executive.		Full Council
<b>E. Functions relating to name and status of areas and individuals</b>		<b>All of the functions listed in this section will be exercised by the Full Council</b>
1. Power to change the name of a county, district or London borough.	Section 74 of the Local Government Act 1972.	
2. Power to change the name of a parish.	Section 75 of the Local Government Act 1972.	N/A
3. Power to confer title of honorary alderman or to admit to be an honorary freeman.	Section 249 of the Local Government Act 1972.	
4. Power to petition for a charter to confer borough status.	Section 245(b) of the Local Government Act 1972.	
5. Any other similar function in this category which by statutory instrument or order are or become functions which cannot be exercised by the Executive.		
<a href="#"><u>EA. Functions relating to changing governance arrangements</u></a>		
<a href="#"><u>1. Duty to draw up proposals for a change in governance arrangements.</u></a>	<a href="#"><u>Section 33E(2) of the Local Government Act 2000.</u></a>	<a href="#"><u>General Purposes Committee</u></a>

Appendix 4

<u>2. Duty to consult prior to drawing up proposals for a change in governance arrangements.</u>	<u>Section 33E(6) of the Local Government Act 2000.</u>	<u>Chief Executive</u>
<u>3. Duty to implement new governance arrangements.</u>	<u>Sections 33G and 33H of the Local Government Act 2000.</u>	<u>Chief Executive</u>
<u>4. Duty to comply with direction given by the Secretary of State.</u>	<u>Section 33I of the Local Government Act 2000.</u>	<u>Chief Executive</u>
<u>5. Duty to hold referendum.</u>	<u>Section 33K(2) of the Local Government Act 2000.</u>	<u>Chief Executive</u>
<u>6. Duty to publish notice if proposals not approved in referendum.</u>	<u>Section 33K(6) of the Local Government Act 2000.</u>	<u>Chief Executive</u>
<u>7. Duty to obtain written consent of elected mayor.</u>	<u>Section 33N of the Local Government Act 2000.</u>	<u>Chief Executive</u>
<u>8. Passing a resolution to make a change in governance arrangements</u>	<u>Section 33F of the Local Government Act 2000</u>	<u>Full Council</u>
<u>9. Any other similar function which by statutory instrument or order are or become functions which cannot be exercised by the Executive.</u>		
<b><u>EB. Functions relating to community governance</u></b>		
<u>1. Duties relating to community governance reviews.</u>	<u>Section 79 of the Local Government and Public Involvement in Health Act 2007.</u>	<u>Chief Executive</u>
<u>2. Functions relating to community governance petitions.</u>	<u>Sections 80, 83 to 85 of the Local Government and Public Involvement in Health Act 2007.</u>	<u>Chief Executive</u>

**Comment [d4]:** This duty does not relate to the decision to hold a referendum but merely confirms the duty to hold such a referendum when one is required.



Appendix 4

<u>3. Functions relating to terms of reference of review.</u>	<u>Sections 81(4) to (6) of the Local Government and Public Involvement in Health Act 2007.</u>	<u>General Purposes Committee</u>
<u>4. Power to undertake a community governance review.</u>	<u>Section 82 of the Local Government and Public Involvement in Health Act 2007.</u>	<u>General Purposes Committee</u>
<u>5. Functions relating to making of recommendations.</u>	<u>Sections 87 to 92 of the Local Government and Public Involvement in Health Act 2007</u>	<u>Full Council</u>
<u>6. Duties when undertaking review.</u>	<u>Section 93 to 95 of the Local Government and Public Involvement in Health Act 2007.</u>	<u>Chief Executive</u>
<u>7. Duty to publicise outcome of review.</u>	<u>Section 96 of the Local Government and Public Involvement in Health Act 2007.</u>	<u>Chief Executive</u>
<u>8. Duty to send two copies of order to Secretary of State and Electoral Commission.</u>	<u>Section 98(1) of the Local Government and Public Involvement in Health Act 2007.</u>	<u>Chief Executive</u>
<u>9. Making an order giving effect to the recommendations made in a governance review</u>	<u>Section 86 of the Local Government and Public Involvement in Health Act 2007.</u>	<u>Full Council</u>
<u>10. Any other similar function which by statutory instrument or order are or become functions which cannot be exercised by the Executive.</u>		