

Proposed amendments to the Constitution by Councillor Ashley Baxter

Council Procedure Rules

Public Open Forum

Amendment 1: Insert after paragraph 11.9 reinstatement of the paragraph from the previous Constitution titled “Supplementary question”.

Removing the right to ask a supplementary question is an unnecessary new restriction on public participation. Supplementary questions provide an opportunity for questioners to ask councillors to clarify and/or elaborate on their previous answer, or to ask a similar question if the councillor has misunderstood the original.

Points of Information

Amendment 2: Delete para 14.5 (f) “On a point of information” and delete paragraph 14.26 “Point of information”.

The previous Constitution did not permit “points of information” and should not because it is a licence to interrupt the flow of another speaker. Who is to define what points of information are permissible?

Examples might include:

“Point of Information: The village of Ryhall is in Rutland, not Lincolnshire”.

“Point of Information: Cllr Bloggs was elected for three terms of office, not four”.

“Point of Information: Diwali is celebrated by Sikhs as well as Hindus”.

“Further point of information: Diwali is also celebrated as part of Jainism, as well as by Sikhs and Hindus”

It will get very silly, very quickly.

Cabinet Procedure Rules

Amendment 3: Delete paragraph 22.2 and re-Insert at 22.2 “Members attending as observers may speak and ask the relevant Cabinet Member questions on any item on the agenda”. (Fragment from the previous Constitution at paragraph 8.5.7). Delete paragraph 7.2 “...at the discretion of the Leader, or person presiding the meeting, but the same provision must be available for all Councillors in attendance for the respective item.” and replace with “and ask the relevant Cabinet Member questions on any item(s) on the agenda”.

This is a new rule which allows the Leader of the Council to arbitrarily reject speeches and questions from non-Cabinet members. Accountability and scrutiny would not be helped by restricting opportunities for non-Cabinet Members to ask questions at Cabinet.

Overview and Scrutiny Procedure Rules

Amendment 4: Delete paragraph 4.3

This is a new rule which would allow the Overview and Scrutiny Committee Chairman to defer a request for an agenda item to the subsequent meeting. The agenda item might be urgent and/or contentious. A decision to defer should not be made without reference to the member(s) who requested the agenda item.

Amendment 5: Insert into para 4.4 “Between meetings, changes to ...”

This clarifies a potential contradiction with para 4.1 (j) on the same page.

Amendment 6: Delete paragraph 5.3 and replace with “and ask questions on any item(s) on the agenda”. (Fragment from the former Constitution at paragraph 8.5.7)

This is a new rule which would require members of the public to register to speak and submit their question in advance of an Overview and Scrutiny Committee meeting.

Amendment 7: Paragraph 6.4, delete “...at the discretion of the Chairman, or person presiding the meeting, but the same provision must be available for all Councillors in attendance for the respective item.”

Accountability and scrutiny would be enhanced by firmly establishing opportunities for non-Cabinet Members to ask questions at Overview and Scrutiny Committee meetings.