

## APPENDIX 1A

### COUNCIL ASSEMBLY PROCEDURE RULES AND DEPUTATION PROCEDURE RULES – AMENDMENTS

#### 1. CAPR 1.16 (11) – AMENDMENTS TO MOTIONS (NEGATING THE MOTION)

Two options:

##### Option 1

**Delete** words highlighted in bold:

“As long as the effect of (b) to (d) is not **to negate the motion or** to delete all of the original motion or all words after the initial “that” in the original motion.”

##### Option 2

**Delete** last part of (11) which reads:

“As long as the effect of (b) to (d) is **not to negate the motion or** to delete all of the original motion or all words after the initial “that” in the original motion.”

#### 2. CAPR 3.9 (10) & (11) – QUESTIONS BY MEMBERS (ROTATION)

**Delete** ‘deputy leader’ in first paragraph in (10).

**Delete** ‘deputy leader’ in first paragraph in (11).

#### 3. CAPR 3.6(9) – PUBLIC QUESTION TIME (LENGTH OF PUBLIC QUESTION TIME)

**Amend** first sentence to read:

“The time during which public questions shall be taken shall not exceed **15 minutes**.”

**Note:** Time limit reference in members’ question time CAPR 3.9 (4) – The change has impact on members’ question time. The panel should consider whether it wishes to retain members’ question time at 30 minutes or setting another timescale eg 45 minutes in total.

#### 4. CAPR 3.11 (2) – NOTICE REQUIRED FOR AMENDMENT

**Amend** first sentence to read:

“Notice of every member’s amendment for a report from the executive, committee or officers shall be given in writing, signed by the member, and delivered at least **two clear working days** before the day of the meeting .....

## 5. DEPUTATION DUPLICATION

Use CAPR 3.7 as the definitive guide with the following exceptions for committees and the executive:

CAPR	Committee/Community Council Procedure Rule	Executive Procedure Rule
CAPR 3.7 (1) meetings that do not take deputations	Not applicable	Not applicable
CAPR 3.7 (6) deadline for receipt 9 days before meeting	No (Procedure rule 3.5 (5) allows 3 days)	Yes
CAPR 3.7 (11)(12) only three allowed at each meeting	Not applicable	Not applicable
CAPR 3.7 (20) time limit on debate on motions/amendments moved to deputation	Not applicable	Not applicable
Urgent late deputations	Not applicable	Yes (Procedure rule 2.10 (7) allows for urgent/late deputations)

Therefore the CAPRs outlined below will require clarification to identify which rules do not apply to committees/community councils and the executive:

### CAPR 3.7 (1) Which meetings consider deputations?

1. Deputation requests shall be considered at ordinary meetings of the council. Deputations shall not be taken at the \*annual (Mayor-making), or annual (constitutional) meeting.

\*Deputations may be considered at all meetings of committees/community councils and the executive.

### CAPR 3.7 (7) Deadlines

7. An application for a deputation to be heard shall be submitted by a representative of the deputation in writing to the borough solicitor no later than \*nine clear working days before the day of the council assembly meeting.

\*Deadline for receipt for committees and community councils is three days.

**CAPR 3.7 (11) (12) Maximum number of deputations to be considered at council assembly**

11. The maximum number of deputations in respect of an individual item shall not exceed \*two and not more than \*three deputations shall be considered at any one meeting of the council assembly.
12. If there are more than \*three items upon which deputations have been requested the deputations will be allocated on the basis of one deputation per item and in the order of the date and time received, until the maximum number of \*three is reached.

\*This rule does not apply to committees, community councils or the executive.

**CAPR 3.7 (20) Subject of deputation not on agenda**

20. If the subject of the deputation does not relate to a report on the agenda, members may move motions and amendments without prior notice. \*Debate on such motions and amendments shall be limited to 15 minutes. \*The mover of any such motion or amendment shall speak for a maximum of three minutes and the seconder and other speakers shall be allowed a maximum of two minutes.

\*This rule does not apply to committees, community councils or the executive.

**New heading to be included in CAPR's: Late or urgent deputations**

\*To preserve the ability for deputations to take place in connection with late or urgent items added to the executive agenda after the normal deadline for deputations, the leader or in his/her absence the deputy leader shall at the meeting have the discretion to decide whether or not to accept a late and urgent deputation.

\* This procedure rule only applies to meetings of the executive.

*Note: If agreed, a consequential change would be to redraft the existing clauses in the committee and executive procedure rules to cross reference back to this rule.*

**COUNCIL ASSEMBLY PROCEDURE RULES – PROPOSED CHANGES**  
**MEMBERS QUESTION TIME PROCEDURES – EXAMPLES FROM OTHER**  
**LOCAL AUTHORITIES**

<b>Authority</b>	<b>Members question time procedure</b>
Camden	A maximum of 12 oral questions are allowed, these are divided amongst the groups represented on the council in proportion to their party membership on the council. After 20 minutes if all oral questions have not been answered the meeting will move to the next business. All questions not answered are treated as written questions. In addition, there is a maximum of 20 written questions divided amongst the groups.
Kensington and Chelsea	No provision for questions from members.
Lambeth	Question time is 30 minutes and only a written response will be given to the first 30 questions. Members may ask more than one question. Questions will appear in the following order: <ul style="list-style-type: none"> <li>- two question for the opposition</li> <li>- one question by the administration Group A (majority)</li> <li>- two question by the opposition</li> <li>- One question by the administration Group B (minority) and so on.</li> </ul> A supplementary question may be asked.
Islington	Question time is open to members and the public. The time allocated for question time is 20 minutes. No members may ask more than two questions. If there is more than one question on any particular subject, the Mayor may rule that they be taken together and a joint reply given. The answer may take the form of a direct oral answer, reference to a council publication or where the reply cannot be given orally, a written answer circulated later to the questioner within 10 days. An answer will not be given orally if the questioner is not present instead a written reply will be sent to the questioner. A member may ask one supplemental question without notice.
Westminster	Question time is limited to 30 minutes. At the beginning of each year a draw is undertaken to ascertain the order in which members will ask an oral questions (executive members excluded from the draw). The leader of the opposition

Authority	Members question time procedure
	<p>asks the first two questions thereafter the order is taken from the above list. The reply will be given orally. An extension may only be given in order for the last question to be answered.</p> <p>Between any two meetings a member may submit no more than 3 questions to an executive member. A list of such questions will be circulated to all members fortnightly. Every question will receive a reply within 3 weeks of its receipt.</p>
Lewisham	<p>Question time is open to member and the public and the time allocated is 30 minutes. Members may ask a question and only at the discretion of the chair may a supplemental be asked.</p>
Hackney	<p>Question time is 30 minutes. Members may ask up to two questions. However if it appears that the time allocated by questions will be dominated by majority group questions, the monitoring officer shall place majority and minority party questions alternately on the agenda. The answer may take the form of a direct oral answer, reference to a council publication or where the reply cannot be given orally, a written answer circulated later to the questioner. Members may ask one supplemental question at the speaker's discretion and in light of the total number of questions tabled a second supplementary question may be asked by any other councilor. Any questions not reached within the time allocated will be answered in writing.</p>
Greater London Authority	<p>Assembly members must submit any questions for each meeting 6 clear working days before the meeting itself. There is no limit on the overall number of questions which each assembly member may submit. The day after questions are submitted, groups are asked to prioritise their questions ie pick out the ones which they wish to ask orally at the meeting. Groups are allocated a certain number of 'priority' slots, according to their political strength on the assembly. The order of the slots is agreed by drawing lots for each meeting at the beginning of each year, the idea being that it is then not always the same group who gets to ask the first question on the order paper. The priority order paper is then published on the website with the agenda papers.</p> <p>Written answers are supplied by the Mayor's office to the remaining, non-prioritised questions</p>

<b>Authority</b>	<b>Members question time procedure</b>
	<p>(and indeed to any of the 'priority' questions which are not answered during the meeting due to lack of time). These are provided 3 working days after the meeting. At the meeting, the Mayor answers each priority question in turn. The person putting the question is allowed to ask the first (or the first several) supplementary questions. Other members (of all groups) may then come in with supplementary questions of their own. They do not need to give advance notice; the Chairman picks whoever indicates that they wish to speak (time allowing) and tries to ensure that members from all groups have an opportunity to speak.</p> <p>In addition to having proportionally allocated priority question slots, groups are also allocated a proportional amount of time to ask supplementary questions and receive answers from the Mayor. Groups are allowed to use their time as they wish ie they are not obliged to spend a certain amount of time on each question.</p> <p>A transcript of the question and answer session is produced and both the oral and written answers are entered into a database which is on our website. They are also separately appended to the minutes of the meeting.</p>
Southwark	Currently 30 minutes plus 15 minutes from public question time. Only one question and supplemental per member. Written responses to question provided at meeting.

Several boroughs were asked the direct question of whether they had a system of oral and written questions, their responses are set out below:

<b>Authority</b>	<b>Members question time procedure</b>
Hounslow	<p>Written questions submitted but repeated orally at council. Members do have supplementary question if they want to reserve right to ask it when they have delivered their question. Oral answers are provided unless there is a written publication that can answer the question. Where the reply cannot conveniently be given orally, a written answer will be circulated before the next meeting of council to the questioner. Questions are occasionally followed up with written notes or letters prepared by officers and then referred to under matters arising at next council.</p>

Authority	Members question time procedure
Lewisham	Members can submit an unlimited number of written questions and they are entitled to ask one supplementary oral for each written question at the council meeting. There is no separate oral question session.
Oxford	We have this but also the ability for members to ask questions on notice up until the day before council. For this category no advance written answer is given. The response is given orally at council and a supplementary is permitted. Points to be made by the administration can be made by portfolio holder or leader announcements.
Ealing	Yes oral and written. Deadline for submission of questions by members is 9.00am on day of council. There are 7 priority oral questions to be answered by leading members on the night and the rest are deemed written questions to be answered within a week. Generally have something like 20/30 questions in total.
Hillingdon	Yes. The questions are printed and taken as read with an oral answer and an opportunity for a supplementary. There is a limit of one question per member at a council meeting.
Kingston	We have oral questions, including one supplementary, for half an hour, anything left gets a written answer.
Harrow	Members have to give written notice of their questions, which are answered orally, unless a reply cannot conveniently be given orally, in which case a written answer may be supplied after the meeting to the questioner and must be copied to all members of council. The questioner has the opportunity to ask a supplemental question arising directly out of the original question or reply.
Hammersmith & Fulham	We abolished members' question time in 2002 on the basis that questions could be asked of the leader / cabinet members at any time, not just at council. We now only have public question time at full council, with written replies prepared and read out by the relevant cabinet member, with one supplementary being allowed. The written replies are recorded in the minutes (but not the supplementary replies, as these are generally off- the- cuff responses.). The

<b>Authority</b>	<b>Members question time procedure</b>
	questioner has to be present at the meeting to ask their question otherwise a written reply is sent after the meeting.
Sutton	Council questions are written and have to be in six days before the meeting. At the meeting the question receives an oral response. The questioner then has the opportunity to ask a second oral question related to the original question which is responded to; any other councillor can then ask an oral question related to the original question which is also responded to. All questions and answers are included as an appendix to the council minutes.
Barnet	We have the same system as you. Supplementary questions and answers are recorded and included in the minutes of the meeting.
Greenwich	We have recently reviewed our arrangements for written and oral questions at council. Members can submit written questions and these must be received three working days before the meeting. There is no restriction on the number of questions each member can submit and there is no time limit at the meeting. Written responses to the questions are circulated at the council meeting and a follow up supplemental (oral) question can be asked (priority is given to the member who submitted the original question). Members can also submit written questions on agenda items and the deadline for these is 10 a.m. the last working day before the meeting. Again a written response is provided and a supplementary question is allowed. Also we do allow a further ten minutes for oral questions to the leader, cabinet members or committee chairs - prior notice of which is not required.
Islington	Yes we have both members and public questions at full council. Both have to be in writing and submitted 10 clear working days before the meeting. They can also ask one supplementary question at the meeting without notice
Tower Hamlets	At the full council meeting we have 30 minutes each of public questions and members' questions. Written responses are available before the meeting and questioners (both public and councillors), may ask an oral supplementary question at the meeting.



**Common factors include:**

- Time limit of 20 – 30 minutes
- Limit of 2 – 3 questions per member
- Mix of oral and written questions/answers
- Only one supplemental allowed

**Variations:**

- 30 minute question time shared between public and members
- Written questions with oral answers
- Oral question allowed
- Questions divided amongst the groups
- Draw taken to ascertain order in which members will ask oral question
- Executive members excluded from asking questions.