

Report to:	Audit and Governance Committee	Date of Meeting:	Wednesday 14 December 2022
Subject:	Request by Councillor Sir Ron Watson for an Amendment to the Constitution - Members' Questions to full Council		
Report of:	Executive Director of Corporate Resources and Customer Services	Wards Affected:	(All Wards);
Portfolio:	Regulatory, Compliance and Corporate Services		
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

This report provides details of a request from Councillor Sir Ron Watson set out in paragraph 2.1 to the report, for the Constitution to be amended in respect of Members' questions to full Council.

Recommendation:

That the Committee's views on Councillor Sir Ron Watson's request in respect of Members' questions to full Council as detailed in paragraph 2.1 be sought.

Reasons for the Recommendation(s):

A request has been received from Councillor Sir Ron Watson asking the Audit and Governance Committee to give consideration to the Constitution being amended in respect of Members' questions to full Council.

Alternative Options Considered and Rejected:

The Audit and Governance Committee to not give consideration to Councillor Sir Ron Watson's request regarding Members' questions to full Council.

What will it cost and how will it be financed?

(A) Revenue Costs

There are no direct revenue costs

(B) Capital Costs

There are no direct capital costs

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets): There are no direct resource implications	
Legal Implications: There are no direct legal implications	
Equality Implications: There are no direct equality implications.	
Climate Emergency Implications: The recommendations within this report will	
Have a positive impact	N
Have a neutral impact	Y
Have a negative impact	N
The Author has undertaken the Climate Emergency training for report authors	Y

Contribution to the Council's Core Purpose:

Protect the most vulnerable:
Facilitate confident and resilient communities:
Commission, broker and provide core services:
Place – leadership and influencer: The opportunity for Councillors to ask questions and receive responses at full Council enables effective scrutinisation of Council decisions to facilitate a democratic, transparent decision-making process.
Drivers of change and reform:
Facilitate sustainable economic prosperity:
Greater income for social investment:
Cleaner Greener

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD7039/22) and the Chief Legal and Democratic Officer (LD5239/22) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

Not applicable

Implementation Date for the Decision

Immediately following the Committee / Council meeting.

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Appendices:

There are no appendices to this report.

Background Papers:

There are no background papers available for inspection.

1. Introduction/Background

- 1.1 The Constitution makes provision for the Council to receive and consider questions to Cabinet Members, Chairs of Committees or Spokespersons for any of the Joint Authorities upon any matter within their portfolio/area of responsibility, of which notice has been given by Members of the Council in accordance with Paragraph 49 to 51 of the Council and Committee Procedure Rules, set out in Chapter 4 of the Council Constitution.
- 1.2 As set out in paragraph 2 below, Councillor Sir Ron Watson has requested that the Audit and Governance Committee consider the current provision and recommends that the Constitution be amended to enable the Deputy Leader of the Council to respond to any questions and supplementary questions submitted by Council Members to the Leader of the Council relating to the Leader's responsibilities on such occasions when the Leader of the Council is unable to be present at a Council meeting.

2. Councillor Sir Ron Watson's request is set out below:

2.1 *"The current Sefton Constitution does make provision for a question time session at each Full Council Meeting.*

A period of 30 minutes is currently allowed for this part of our process but is proving to be inadequate as Members of the majority party seem to have adopted a new policy of asking their own Cabinet Members questions to which they appear to already be aware of the answers and this is clearly taking up the time meant to be to facilitate opposition parties asking questions and a supplementary question if considered appropriate.

There has developed a specific problem that relates to questions addressed to the Leader of the Council.

In those instances where the Leader is not able to be present, for what I am sure are always very valid and justifiable reasons, Members are advised that the question in effect cannot be put at the Council Meeting itself and that the Leader will respond in writing in due course to the individual Member.

There is no precedent in any other form of Council activity for such an approach where the role of the Deputy clearly establishes the mechanism by which matters relating to the Leader's responsibilities can be dealt with by the Deputy.

There is no other form of Council activity whereas in principle this format does not apply and it has not been possible to obtain a justification for the current situation as it relates to the Full Council.

The Audit & Governance Committee therefore should recommend an amendment to the Constitution to ensure that this anomaly is dealt with the best interest of the democratic workings of the Council.

I hope that Members will carefully consider the point and accept the recommendations which would assist the growing concerns that relate to certain aspects of Member involvement as a consequence a Councillor's ability to pursue and promote points raised both by individual constituents and representative organisations, particularly in the voluntary sector".

2.2 The Committee's views on Councillor Sir Ron Watson's request in respect of Members' questions to full Council as detailed in paragraph 2.1 above are sought.