

CYNGOR SIR POWYS COUNTY COUNCIL

Democratic Services Committee

18 March 2020

REPORT AUTHOR: Head of Democratic Services

SUBJECT: Review of trial of a "Formal Questions at Any Other Time" process

REPORT FOR: Decision

1. Background

- 1.1 The Council agreed at the meeting on 10 October 2019 that the Constitution be suspended for initial period of three months to allow a trial of a "Formal questions at any other time" process. The trial would allow questions to be asked, to Heads of Service for operational matters and Portfolio Holders for policy matters.
- 1.2 In addition, it was agreed:
- (ii) That the trial be reviewed by the Democratic Services Committee at the end of that period with delegated power to the Chair of the Democratic Services committee in consultation with the Committee to extend the trial period.

2 Trial period

- 2.1 The trial commenced in November 2019, after a presentation was made to Councillors on 21 October outlining the process. Members can submit questions via the dedicated email addresses. Questions and answers are published on the Council website.
- 2.2 The tables in Appendix 1 provide details of the number of questions asked to the end of February 2020 and related details.
- 2.2 The Councillors who have asked questions and the Portfolio Holders and Heads of Service to whom questions were asked have been canvassed for their views. These are detailed in Appendix 2.
- 2.3 The Chair of the Democratic Services Committee [DSC], has used his delegated power [referred to in 1.2 above] to extend the trial period. This will continue until a report from the DSC is considered by Council on 14 May 2020.

3 Recommendation

- 3.1 The Committee is asked to consider the information relating to the trial and recommend to Full Council either that:

- i. the “Formal Questions at Any Other Time” to Portfolio Holders and Heads of Service be adopted with Questions at Full Council remaining (requiring the amendments to the Constitution set out in Appendix 3); or
- ii. the “Formal Questions at Any Other Time” to Portfolio Holders and Heads of Service be adopted with Questions at Full Council being removed (requiring the amendments to the Constitution set out in Appendix 4); or
- iii. note the results of the trial and agree not to continue with “Formal Questions at Any Other Time”.

3.2 If the Committee considers that the process should be continued the following will need to be undertaken:

- Promotion of the designated email addresses to members
- When the questions and responses are published on the website, notice of their publication be emailed to members.

3.3 The Committee may also wish to consider whether it wishes to recommend that it reviews the process one year after its adoption.

Recommendation:	Reason for Recommendation:
<p>1. To decide which of the options set out in paragraph 3.1 should be presented to Full Council.</p> <p>2. In the event that Questions at Any time is to continue, to decide whether or not there should be further review in 12 months time.</p>	<p>To review the trial of a “Formal Questions at Any Other Time” process</p>

Contact Officer:	Wyn Richards, Scrutiny Manager and Head of Democratic Services
Tel:	01597-826375
Email:	wyn.richards@powys.gov.uk

Trial period - Formal Questions at Any Other Time

Time period	Questions to Portfolio Holders	Questions to Heads of Service
November	8	2
December	6	0
January	5	0
February	6	1
Total	25	3

Number of responses received after 10 days		

Portfolio Holder	Nov	Dec	Jan	Feb
Leader	0	0	0	0
Finance, Countryside and Transport	1	0	2	0
Education and Property	2	2	0	3
Young People and Culture	1	0	2	0
Adult Social Care and Welsh Language	0	0	0	0
Economic Development, Housing & Regulatory Services	2	1	0	1
Corporate Governance & Engagement	0	1	0	1
Environment	2	2	1	1

Heads of Service	Nov	Dec	Jan	Feb
Housing and Community Development	1			
Highways, Transportation and Recycling	1			
Property, Planning and Public Protection				1

Councillor	Questions to Portfolio Holders	Questions to Heads of Service
Karen Laurie-Parry	2	
Matthew Dorrance	15	
Jackie Charlton	1	1
Katherine Silk	2	
Gareth Ratcliffe	2	
Elwyn Vaughan	3	
Jon Williams		1
David Selby		1
Total	25	3

Questions to Council for comparison

Time period	Number of questions	Number of members
January 2019	14	9
March 2019	8	5
January 2020	9	7
March	3	3

Views from those who have participated in the trial

Councillors

Councillor Gareth Ratcliffe - Only really started using it lately. I found response was slow but when I chased it was answered quickly. I would like to see it kept as it does have a benefit to members and myself found it very good and helpful.

Councillor David Selby - I have used the process once. I am happy that the system was easy to use, and my question was answered in 10 days (just). However, there should be a method that all Councillors are updated if a question has been asked and a link to the question and answer.

The system should be used to highlight issues that all Councillors should be aware of. There are other adequate processes in place to raise issues of ward or individual Councillor concern.

Councillor Kathryn Silk - My experience of using this process is that it has been very simple and straightforward and extremely useful especially when Council meetings happen infrequently. It is therefore a really valuable mechanism for chasing up issues (and being sure that you do get an answer) on behalf of residents. I don't know whether the questions I have submitted have been answered within the 10 day period, and what would be really helpful would be an email to say that the answer is up on the website.

I see from your email that there obviously is a dedicated email address to which we should be submitting these questions. I have used Shane or Wyn and they've both been very efficient!

Councillor Elwyn Vaughan - I found the system easy to use and response was received within 10 days. It makes practical sense to continue with this option.

Councillor Jackie Charlton - I have used the new system on several occasions and it worked well. I don't think it has made much difference in the county council meetings which was one of the objectives.

Councillor Mathew Dorrance - I think the new tool is really useful for members - we don't have to wait for a Council meeting to get a formal question raised, answered and on the record. It's an important part of our democratic process.

There have been issues with the time the response has taken and indeed the quality of response but the benefits outweigh the negatives.

Personally, I hope we keep this facility. It works well and strengthens the role of non executive members.

Portfolio Holders

Councillor Heulwen Hulme - I have been more than happy to address other member's questions at any other time. I deal with them promptly and avoids any unnecessary delay to possible 'current' issues at the time.

Councillor Rachel Powell - I believe that the system has been unproblematic and from my perspective I have no concerns.

Heads of Service

Adrian Jervis, Head of Highways, Transport & Recycling - The new trial process has not caused any undue issues from my point of view. It does feel like there has been an increase in the number of questions over the period, and because they are raised more spasmodically, the tracking of timely responses does require careful monitoring.

Appendix 3

Questions from Members

4.29A Subject to Rule 4.30, a Councillor may ask on Notice at Full Council:

- 4.29.1 the Chair;
- 4.29.2 a member of the Cabinet;
- 4.29.3 the chair of any committee or sub-committee;
- 4.29.4 nominated Councillors of the Fire and Rescue Authority or the Brecon Beacons National Park Authority or the Police and Crime Panel

a question on any matter in relation to which the Council has powers or duties or which affects the Council other than operational matters which must be addressed as set out in Rule 4.29C

4.29B In addition to questions put under Rule 4.29A above a Councillor may ask the Leader or a Portfolio Holder a written question on any matter in relation to which the Council has powers or duties or which affects the Council other than operational matters which must be addressed as set out in Rule 4.29C at any time which must be responded to within 10 working days. All such questions and responses will be published on the council's website.

4.29C In addition to questions put under Rules 4.29A and 4.29B above a Councillor may ask the relevant Head of Service a written question on any operational matter at any time which must be responded to within 10 working days. All such questions and responses will be published on the council's website.

Notice of Questions

4.30 A Councillor may ask a question under Rule 4.29 if either:

- 4.30.1 written notice of the question has been delivered to the Monitoring Officer not later than 5.00 p.m. 10 Clear Days before the date of the Council meeting at which it is to be considered; or
- 4.30.2 the question relates to urgent matters, they have the consent of the Chair and the Councillor to whom the question is to be put and the content of the question is given to the Monitoring Officer by 5 p.m. on the day prior to the meeting.

Appendix 4

Questions from Members

- 4.29.1 A Councillor may ask the Leader or a Portfolio Holder a written question on any matter in relation to which the Council has powers or duties or which affects the Council other than operational matters which must be addressed as set out in Rule 4.29.2 at any time which must be responded to within 10 working days. All such questions and responses will be published on the council's website.
- 4.29.2 In addition to questions put under Rules 4.29.1 above a Councillor may ask the relevant Head of Service a written question on any operational matter at any time which must be responded to within 10 working days. All such questions and responses will be published on the council's website.

Notice of Urgent Questions

- 4.30 A Councillor may ask a urgent question if it relates to urgent matters, they have the consent of the Chair and the Councillor to whom the question is to be put and the content of the question is given to the Monitoring Officer by 5 p.m. on the day prior to the meeting.