



REPORT TO: THE MORAY COUNCIL ON WEDNESDAY 09 SEPTEMBER 2009

SUBJECT: PROTOCOL ON QUESTIONS ON COUNCIL MINUTES AND OTHER RELEVANT QUESTIONS

BY: CHIEF LEGAL OFFICER

1. REASON FOR REPORT

- 1.1 To inform the Council of the outcome of a review of the 'Protocol on Questions on Council Minutes and Other Relevant Questions' following its approval by Council on 17 September 2008.

2. RECOMMENDATIONS

- 2.1 **That the Council note and consider the outcome of a review of the 'Protocol on Questions on Council Minutes and Other Relevant Questions'.**

3. BACKGROUND

- 3.1 At the Meeting of The Moray Council held on 17 September 2008 (Paragraph 10 of the Minute refers), the Council approved a protocol on questions on Council Minutes and other relevant questions as detailed in the report subject to a review in 6 months time.

4. REPORT

- 4.1 A survey of all questions raised both written and oral has been undertaken and a breakdown of these is attached at **Appendices A and B** respectively.
- 4.2 In the case of both Written Questions and questions raised under 'Question Time' these have in the main related to issues relevant to the particular Service Committee to which they have been submitted. Only two questions have been rejected for submission under the terms of the protocol. One was ruled not a competent question and one was ruled as not being appropriate for the Committee to which it was being directed. Minor editing of questions by the Principal Committee Services Officer of Written Questions to ensure compliance with the protocol have been accepted without complaint.

- 4.3 In regard to Written Questions submitted to the meetings of The Moray Council, one representation has been made to the Principal Committee Services Officer that consideration be given to allowing Members to submit more than one question.

5 SUMMARY OF IMPLICATIONS

- (a) **Single Outcome Agreement/Service Improvement Plan**
None
- (b) **Policy and Legal**
None
- (c) **Resources (Financial, Risks, Staffing and Property)**
None
- (d) **Consultations**
None

6 CONCLUSION

- 6.1 Following its introduction in September 2008, the 'Protocol on Questions on Council Minutes and Other Relevant Questions' appears to have embedded well into the conducting of the business of the Council and its Committees. There have been no major issues raised in regard to how the protocol has been interpreted by the Principal Committee Services Officer and Members' have accepted any suggested changes to the language used to ensure compliance with the terms of the protocol.

Author of Report: Moira Patrick, Principal Committee Services Officer

Background Papers: Report to The Moray Council dated 17 September 2008.

Ref:

Signature: _____

Date: 31st August 2009

Designation: Chief Legal Officer Name: R D BURNS