

## Definition of Principal Opposition Group

### Constitution, Part 1 (Summary and Explanation)

#### **4.0 How decisions are made**

- The largest political group, or a combination of groups, shall form the administration of the Council (the Executive).
- The largest political group not represented on the Executive shall be the Principal Opposition Group.
- The Executive is the part of the Council which is responsible for delegated decisions.
- The Executive is made up of the Leader and up to nine councillors appointed by the Leader (including the Deputy Leader) with the Executive's responsibilities divided into areas of responsibility (portfolios), each member leading on a specific group of policy issues.
- When major decisions are to be discussed or made, these are published in the Executive's Forward Programme of Key Decisions in so far as they can be anticipated.
- If these major decisions are to be discussed with council officers at a meeting of the Executive, this will generally be open to councillors and the public to attend except where personal or confidential matters are being discussed.
- The Executive has to make decisions which are in line with the Council's overall policies and budget. If it wishes to make a decision which is outside the budget or policy framework, this must be referred to the Council as a whole to decide.

#### **5.0 Overview and Scrutiny Committees**

- 5.3 ~~In the event of a single party Executive, the Chairmen of the four Overview and Scrutiny Committees shall be elected from nominations put forward by the largest minority political group on the Council (this can include non-members of the largest minority group or members of the majority group).~~ The Chairmen of the four Overview and Scrutiny Committees shall be elected from nominations put forward by the Principal Opposition Group of the Council (this can include non-members of the Principal Opposition Group or members of the administration group(s)) subject to the total number of Opposition members on the Council exceeding 10% of the overall membership (in the current composition of the Council, this would equate to 6 members). The Vice-Chairman of each Overview and Scrutiny Committee

shall usually not be from the same political group as the Chairman. Without consent of the Council, no member can be Chairman or Vice-Chairman of more than one Overview and Scrutiny Committee.

**NB. Amended Paragraph 5.3 to replace the equivalent wording in paragraph 1 of the Overview and Scrutiny Procedure Rules in Part 4 of the Constitution.**

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## Reinstatement of Informal Questions

### Council Procedure Rules

#### 10. QUESTIONS BY THE PUBLIC

##### 10.1 General

Members of the public who have a legitimate interest in the Borough, by way of work or residency, may ask a question at ordinary meetings of the Council, Executive and Committees. Questions by the public will not be included as an agenda item on agendas for Special or Extraordinary meetings. The rules for asking a written question are set out in Procedure Rules 10.2-10.7 below.

#### Written questions

##### 10.2 Notice of written questions

A written question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Head of Policy and Governance no later than close of business (5.00pm), 4 clear working days before the day of the meeting. Each question must give the name and address of the questioner.

##### 10.3 Order of questions

Questions will be asked in the order notice of them was received, except that the Mayor or Chairman may group together similar questions.

##### 10.4 Number of questions

At any one meeting no person may submit more than 1 written question and no more than 1 such question may be asked on behalf of one organisation.

##### 10.5 Scope of questions

The Chief Executive may reject a question if it:

- is not a matter in relation to which the Council has powers or duties or which affects the Borough;
- is defamatory, frivolous or offensive;
- is substantially the same as a question which has been put at a meeting of the Council in the past six months;

- requires the disclosure of confidential or exempt information;
- is not substantially in the form of a question, or the length of the preamble is disproportionate to the question.

#### 10.6 Record of **written** questions

The Chief Executive will immediately send a copy of the question to the Chairman of the Executive and relevant Portfolio Holder. Where the Chief Executive recommends that the question be rejected, reasons for rejection will be stated.

Copies of all questions will be circulated and made available to councillors and the public attending the meeting. All **written** questions submitted will receive a prepared answer.

#### 10.7 Reference of question to the Executive

Unless the Mayor decides otherwise, no discussion will take place on any question, but any member may move that a matter raised by a question be referred to the Executive or the appropriate named Committee or Sub-Committee. Once seconded, such a motion will be voted on without discussion.

#### Informal questions at the Executive

10.8 Members of the public may ask informal questions of the Executive before the start of each ordinary meeting of the Executive, in accordance with the arrangements at Executive Procedure Rule 2.9

#### Petitions

#### 10.9 Presentation of petitions

Members of the public can submit petitions electronically through the Waverley website or in hard copy addressed to the Chief Executive. The petition will be dealt with in accordance with the Waverley Petition Scheme.

### Executive Procedure Rules

#### 2.9 Questions by the Public

##### Written questions

2.9.1 Members of the public may ask **written** questions at ordinary meetings of the Executive in accordance with the provisions in **Council** Procedure Rules **10.2 – 10.7**. The Leader and/or the Deputy Leader or appropriate Portfolio Holder should be invited to respond to the question.

## Informal questions

2.9.2 Informal questions may be asked of the Leader, Deputy Leader or an appropriate Portfolio Holder before the start of each ordinary meeting of the Executive for up to 15 minutes, including replies. No prior notice needs to be given. Questions will be taken in the order in which questioners register with the Democratic Services Officer prior to the start of question time. When read out, each question must be concluded within 2 minutes. In the event that it is not possible to give a verbal response, a written response will be provided following the meeting.