

Scottish Borders Council Public Questions Draft Procedure

Scottish Borders Council has opened up a further route for members of the public to submit questions to be asked at meetings of full Council. This process is complementary to requests for information submitted under Freedom of Information legislation.

Questions

1. Questions should raise issues which relate to matters within the responsibility of Scottish Borders Council or the general well-being of the residents of the Scottish Borders.
2. Each question should be on a separate form and each question should be limited to 150 words. A separate form will need to be submitted with the name, address and contact details of the person submitting the question (this form will not be published). Questions from an anonymous source will not be accepted.
3. Questions may only be submitted by someone who is resident in the Scottish Borders or who is acting on behalf of an individual resident in the Scottish Borders.
4. Where there are already regulatory procedures in place or the matter relates to individuals, then it would not be appropriate to accept such questions, therefore questions shall not be accepted:
 - (i) about individual planning, licensing, or other applications/decisions where there are already regulatory procedures in place;
 - (ii) about personal or external business issues;
 - (iii) about commercially sensitive or confidential material;
 - (iv) about individual Councillors, members of Council staff, or other individuals who may easily be identified;
 - (v) about employees' terms and conditions of employment;
 - (vi) about information which is protected by an interdict or court order;
 - (vii) about an allegation that someone has broken the law;
 - (viii) which contain language which is defamatory, offensive, provocative or otherwise inappropriate;

- (ix) which relate to a complaint or grievance (which should be handled through the Council's complaints procedure);
 - (x) which are identical or similar to other questions made within the preceding six months.
5. The Clerk to the Council, or her representative, shall ensure questions keep to procedures and are admissible. Questions which are the same, or substantially similar, shall be considered together.
 6. A maximum of 5 questions will be asked at any given Council meeting. Where more than 5 questions are submitted, these will either be held over to the next meeting or will be answered directly and not included in Council papers.

Meetings of the Council

7. An item will be placed on the agenda for the Council meeting and the question(s) being asked will be listed.
8. The relevant Portfolio holder will provide a response to the question which will be read out at the meeting. After the meeting, this response will be sent out to the member of the public asking the question and included in the Minute of the meeting.
9. The member of the public asking the question is not entitled to speak at the meeting and is not entitled to ask any supplementary question regarding the answer. No Councillor may ask a supplementary question regarding the answer.
10. There will be no right of appeal in response to the answer made in response to a question.