

SELECTION & CONSTITUTIONAL REVIEW COMMITTEE

6TH DECEMBER 2012

QUESTIONS/SPEAKING AT MEETINGS

1. The Scheme of Public Participation in the Council's Constitution currently provides for different types of public participation including submitting petitions, asking questions and making general comments at meetings of the Council and its Committees and Sub-Committees (except Overview & Scrutiny). At present the following written notice must be given - 10.00 on the day of the meeting for meetings commencing on or after 19.00 that day, or by 10.00 on the last working day before the meeting date for meetings which commence before 19.00. Planning Committee has a later deadline of 14.00 on the day of the meeting. Indeed the deadline for the Planning Committee was recently made later as part of the Deputy Leader's Planning Review and it is not proposed to change this.
2. In terms of questions and comments at meetings other than the Overview & Scrutiny or Planning Committees, in recent months there have been a number of requests to speak at Council, Cabinet or Committee meetings that have been submitted right at the 10.00 deadline for a meeting commencing at 19.00 that evening. This has sometimes allowed insufficient time for proper research and consideration of the point being raised, information gathering and being able to give the individual a satisfactory response.
3. It is therefore proposed to move the deadline for written notice for questions/comments back to 10.00 on the last working day before the meeting date for all meetings (except Planning Committee) regardless of what time they commence. The deadline for written notice of petitions should also be moved to make it consistent.
4. In response to recent comments it is also worth pointing out Procedure Rule 9.2 of the General Procedure Rules in the Council's Constitution regarding questions at meetings. This states that questions must be relevant to an item included upon the agenda for a meeting. At the point of submitting a question or comment, the question should be set out in full or a clear statement of the nature of the proposed comments should be given. If this is not the case then the Chairman of that meeting does have the discretion not to accept the request. The wording of paragraph 2(a) of the Scheme of Public Participation will be amended slightly to ensure that this point is clear.
5. The intention of the suggested amendments is to enable a better standard of public participation and to benefit those members of the public who would like to raise issues at Council meetings by ensuring their contribution is clear and, where possible, able to be addressed. The extra day for questions and comments at evening meetings will

allow proper time for Officers and Members to engage with a topic and provide the individual with a proper answer.

6. The following recommendation is therefore put before the Selection & Constitutional Review Committee for approval and, if agreed, the relevant amendments will be made to the Council's Constitution.

Recommended:

That the Scheme of Public Participation in the Council's Constitution be amended as per Appendix 1 to this report.

Scheme of Public Participation

NB: This Scheme does not apply to a Meeting of the Overview and Scrutiny Committee or its Sub-Committees as they have their own arrangements for consulting with the public as detailed in the Overview and Scrutiny Procedure Rules, nor does it apply to Meetings of the Licensing Sub-Committee.

1. Introduction

The public has always had the right to attend meetings of the Council and its Committees and Sub-Committees to listen to the debate. However, to enhance the public's ability to contribute to the democratic process a comprehensive Public Participation Scheme is in place. The Scheme is wide ranging and successful and has in its various forms been in operation from 1995. To allow the Scheme to operate fairly and effectively there are a few simple rules which should be followed. Set out within this note are the details of how the scheme works in practice and how the scheme is applied to Parish Councils and to the public. The procedure note has been split into the following sections:-

- General Rules Applicable to All Schemes (Para 2)
- Types of Public Participation (Para 3)
 1. Petitions (Para 3(a))
 2. Questions (Para 3.2(b))
 3. General Comments (Para 3(c))
- Procedure for speaking at meetings of the Planning Committee in relation to Planning Applications (Para 4)
- Summary of Rights (Para 5)
- Administration of the Scheme (Para 6)

2. General Rules Applicable To All Schemes

- (a) All requests to take part at meetings, in accordance with the Council's Public Participation Scheme should be submitted in writing on the relevant form available from the Proper Officer or separately in writing provided that contact details and ~~information about the nature of the question, petition or comment is included~~ the question in full or a clear statement of the nature of the proposed comments are given. The Council's website also has a facility allowing the public to register to speak on line.

(b) The following **written** notice must be given in respect of the scheme to the Proper Officer:-

(i) ~~(i) For Petitions, Questions and General Comments – 10:00 on the day of the meeting for meetings commencing on or after 19.00 that day or by 10:00 on the last working day before the meeting date for meetings which commence before 19:00.~~ Questions and Comments at any meeting other than Planning Committee or the Overview & Scrutiny Committee – 10.00 on the last working day before the meeting date

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(ii) For the Planning Committee by 14:00 on the day of the meeting. The above deadlines do not apply in respect of urgent items placed before Committees in accordance with Section 100b(4)(b) of the Local Government Act 1972.

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- (c) Length of speech – in support of petitions, questions and general comments - this will be a maximum of 3 minutes, except with the Chairman's approval.
- (d) The scheme does not allow the speaker to enter into any debate.
- (e) In all cases the Chairman will determine the order in which the petitions are presented, questions asked or comments made.