

**EXTRACT FROM THE MINUTES OF LOCAL GOVERNMENT REFORM
CABINET SUB-GROUP 5TH DECEMBER 2007**

19 **PUBLIC QUESTION TIME**

INFORMATION:- The Head of Law and Governance introduced the report and reminded Members of the proposed revision to the rules of Public Question Time discussed at the last meeting, and changes to meetings of full Council (Appendix 1) and other meetings (Appendix 2). It is also proposed to produce a laymens guide to help members of the public understand how meetings work and how they can be involved in the process.

The Sub Group reaffirmed their view to allow a member of the public to speak after Public Question Time when they can provide clarification on a material matter at a Planning Committee meeting. However, it was proposed to amend ‘the Chairman may exercise his or her discretion and *permit* a member of the public to speak...’ to ‘*invite* a member of the public to speak...’.

With regard to Local Committees it was proposed that, when an issue cannot be addressed at the meeting, that a written answer be provided within 10 working days of the meeting – not included on the agenda of the next meeting, as this would delay a response for two months. There is also a proviso for the Cabinet Member or officer to deal with any outstanding issues, although it needs to be clarified to the member of the public at the meeting when an appropriate response will be made.

The distinction between a statement and a question was raised, and the time restriction of three minutes and two minutes respectively, for each individual speaker during Public Question Time. Members considered that this should be renamed ‘representations’ and have a time limit of three minutes per speaker.

The Sub Group agreed that ‘10 working days’ is quoted for a written response throughout the guidance (not two weeks).

The reading of a question/statement from a member of the public at a meeting when the member of the public was not present was an issue for concern. It was reported that, at some planning meetings, the Chairman uses their discretion and allows for correspondence to be read when the author is not at the meeting – especially if there is a genuine reason for their absence and the statement assists the material planning consideration. Members had differing views on this aspect and stated that if a speaker who had registered to speak could not attend at the last moment then the Chairman had discretion to allow the statement to be read or classed as a late representation and placed on the table for all members. It was also recognised late written representations are placed on the table at the Planning Committee meeting, plus any other material that speakers in Question Time, i.e. supportive papers or photographs, request to be circulated to provide evidence referred to in their statement. This cumulates with Members having various materials to consider prior to the start of the meeting, although it was highlighted that all relevant material considerations can be accepted up to decision-making time. The final consensus was that this was an issue that required careful wording, and with written representation on the night when the author could not attend then it would be for the

Chairman's discretion to allow all members to read the relevant parts, or have the full statement read to the meeting.

It was noted that other Councillors (including Essex County Councillors) attending Council meetings where they are not a member of that committee, i.e. Planning Committee and Local Committee, sit on a table separate to the Committee members. The preference was for those members to be allowed to sit with the main committee.

In conclusion, the Sub Group promoted public involvement at meetings and referred to meetings of the Braintree Local Committee and the emphasis on public participation throughout the meeting, giving discretion to the Chairman.

DECISION:- That it be **RECOMMENDED to Council**

- (1) That the current rules on Public Question Time be amended to reflect the discussion of the Sub Group as follows:-
 - 'permit' to be changed to 'invite'
 - to inform a member of the public regarding the timescale of an answer to an outstanding query at Local Committee
 - at meetings of the Local Committee the Chairman exercise their discretion to allow members of the public to participate in the meeting
 - statement or question being revised to 'representation' and limited to three minutes duration
 - response within 10 working days throughout the guidance
 - appropriate wording for statements received by members of the public who had registered for Public Question Time and cannot attend the meeting at the last moment, and advice for Chairman to use their discretion.

- (2) That the amendments shown in bold font as set out in Appendix 1 (meetings of full Council) and the inclusion of Appendix 2 (other Council meetings) including the issues above, be adopted by Council as a new procedure and that the Head of Law and Governance be authorised to make the necessary amendments to the Constitution.