

27 June 2018		ITEM: 11
Council		
Constitutional Amendments – Public Access to Committees		
Wards and communities affected: All	Key Decision: Key	
Report of: Matthew Boulter, Democratic and Governance Services Manager & Deputy Monitoring Officer		
Accountable Assistant Director: David Lawson, Assistant Director of Law and Governance		
Accountable Director: Sean Clark, Director of Corporate Finance and IT		
This report is Public		

Executive Summary

This report outlines the recommendations and observations of the Constitution Working Group regarding the procedures surrounding how members of the public interact with committees of council and participate in public council meetings.

1. Recommendation(s):

That Council:

- 1.1 Note the non-constitutional initiatives below which the Constitution Working Group has endorsed.**
- 1.2 Agree to reduce the timeframe for repeat questions being disallowed at Full Council from 12 months to 3 months.**
- 1.3 Agree to reduce the timeframe to submit a question or statement at Overview & Scrutiny Committees from 3 working days to 2.**

2. Introduction and Background

- 2.1 In August 2017, the General Services Committee requested an overview and scrutiny review be established to look at whether procedures which supported and facilitated residents participating in committees could be amended to increase participation but also to make it an even more accessible process.**

- 2.2 Following consideration of this request by the Corporate Overview and Scrutiny Committee in September 2017, it was agreed that the Constitution Working Group be convened to consider these issues instead of a review group.
- 2.3 The Constitution Working Group met in October 2017 and January 2018 to discuss a number of ideas on changing the way the public accessed committees and participated in public council meetings.

3. Issues, Options and Analysis of Options

- 3.1 The Group noted that there were many ways the public could access decision making and were satisfied that the Petition and Call-in processes provided the public with a very good service. The issues and amendments that the Group discussed were:

3.2 Repeat Questions

The Group strongly felt the timeframe to disallow repeat questions be reduced from 12 months to 3 months. This would allow important issues to be reappraised regularly whilst protecting against frivolous submissions. The Group also supported the practice of declining repetitious questions which were submitted for the same meeting by different people. The first question would be accepted.

3.3 Deadlines for Question Submissions

The Group supported the reduction of the timeframe to submit a question or statement at Overview & Scrutiny Committees from 3 working days to 2.

The Group explored whether deadlines for questions to Full Council could be reduced to allow residents to submit questions closer to the meeting date. The Group recognised that the current deadlines allowed submissions to be properly checked and allowed time for residents to alter or amend their submissions to comply with procedures whilst maintaining an open process, namely that the questions were published in the agenda and accessible to all residents when viewing the agenda.

The Members discussed adding a new procedure which gave more structure to the Mayor's discretion in allowing urgent questions. The general view of the Group was that this discretion had always been a rule of the Full Council and need not be clarified further in the Constitution.

3.4 Website

The Group was largely satisfied with the information on the Council's website but amendments to capture all the relevant information under one title, 'Attending Council Meetings' was agreed. Also, extra information will be added to the 'Asking Questions at Council Meetings' to explain the process entirely in

an easy to understand way. It was also agreed that the question deadlines would be more easily located on the public website.

The Group noted that the Council already ran a subscription service for people who wanted to keep up to date on committees and the Webmaster was going to review this service to make it more user friendly.

3.5 Leaflet

The Group agreed a leaflet which will be sent to every member of the public submitting a question which explains the basic rules and procedures surrounding their question at the Full Council meeting.

3.6 Use of Social Media

The Group briefly touched upon the use of social media to promote the role of councillors as ward representatives and to increase visibility of committees on the medium including the opportunity to attend and participate directly. The Communications Team have put in place a new approach so that committees and associated question deadlines are promoted.

3.7 Assigning Seats at Full Council

The Group did consider whether introducing a booking system for the public seating area in the Chamber would improve engagement but through its research it discovered that such a system could potentially exclude people who could not use or were not aware of the booking system. The gallery was also rarely full and therefore a booking system would be undermined if people could simply turn up and take vacant seats.

3.8 Multiple Representations at Planning Committee

During debate it was queried whether multiple representations could be investigated for Planning Committee. It was found that Thurrock was seen as a model of best practice by external professional organisations for the way it ran its Planning Committee. Members noted that the perception of fairness in a quasi-judicial process was important to maintain.

3.9 New rule to allow Members of the Public to speak on a topic at Council

Some Members of the Group felt that residents should have the opportunity to speak on a matter that was important to them at a Full Council meeting. At their second meeting in January 2018 the group discussed this matter further and Members expressed their concern that the new rule could be open for abuse by people who would use the time for frivolous or vexatious matters. Some Members also felt that the management and monitoring of these topics would turn officers into censors, which was not their role.

4. **Reasons for Recommendation**

4.1 The recommendations seek to provide informed and evidentially considered amendments to the constitution and associated practices which improve the resident's experience of engaging with committees and the decision making process.

5. Consultation (including Overview and Scrutiny, if applicable)

5.1 None.

6. Impact on corporate policies, priorities, performance and community impact

6.1 The recommendations seek to enhance the resident experience of committees and decision making and would have a positive impact on the community. This adheres to Thurrock's priorities in making decision making a fair and open process that includes all.

7. Implications

7.1 Financial

Implications verified by: **Dammy Adewole**
Management Accountant, Central Services

The cost of printing and sending out leaflets to members of the public submitting questions will be met through the existing budgets.

7.2 Legal

Implications verified by: **David Lawson**
Assistant Director of Law and Governance

The Constitution states that any major changes to the constitution, such as changes to the Council Procedure Rules, need to be agreed at Full Council. This report sets out the amendments that the cross party Constitution Working Group wishes the Council to consider.

7.3 Diversity and Equality

Implications verified by: **Rebecca Price**
Community Development Officer

The considerations of the working group took into account ways to increase participation by residents and where possible make it easier for residents to engage in the democratic process.

7.4 **Other implications** (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

None.

8. **Background papers used in preparing the report** (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- The agendas and minutes of the Constitution Working Group from 31 October 2017 and 25 January 2018. www.thurrock.gov.uk

9. **Appendices to the report**

None

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