

Minutes of the Meeting of the Constitution Working Group held on 31 October 2017 at 7.00 pm

Present: Councillors Joycelyn Redsell, Graham Snell, Luke Spillman and Martin Kerin.

Apologies: Councillors Tunde Ojetola and Tony Fish.

In attendance: Karen Wheeler, Director of Strategy, Communications & Customer Services.
David Lawson, Monitoring Officer.
Matthew Boulter, Deputy Monitoring Officer.
Wendy Le, Democratic Services Officer.

Before the start of the Meeting, all present were advised that the meeting may be filmed and was being recorded, with the audio recording to be made available on the Council's website.

1. Appointment of Chair

The Democratic Services Officer welcomed everyone to the meeting and outlined the process for the nomination and election of Chair.

Councillor Kerin nominated Councillor Redsell as Chair, this was seconded by Councillor Snell. Members agreed to Councillor Redsell as Chair.

2. Appointment of Vice-Chair

The Chair asked for nominations for the Vice-Chair position.

Councillor Kerin nominated Councillor Snell, which was seconded by The Chair. Members agreed to Councillor Snell as Vice-Chair.

3. Apologies for Absence

Councillor Ojetola and Councillor Fish.

4. Items of Urgent Business

There were no items of urgent business.

5. Declarations of Interest

There were no declarations of interest.

6. Terms of Reference

The Deputy Monitoring Officer (DMO), Matthew Boulter, gave a brief outline of the role of the Constitution Working Group which aimed to improve public participation in council meetings.

7. Outline of What the Council Currently Provides in Terms of Public Participation

The DMO referred to the flowchart handout which outlined the democratic process on how members of the public could currently participate. The process for petitions and call-ins was currently working well. Changes were suggested for the following processes:

- To accept the first public question and any repetitions after to be rejected and the residents to be encouraged to be liaised with on the first successfully accepted question.
- To reduce the timeframe of repeat questions from 12 months to 6 months at Full Council and Overview & Scrutiny Committee meetings.
- To include a new rule on urgent public questions.
- To add a new paragraph in the Constitution underlining the Mayor's ability to allow a resident to speak at the Mayor's discretion.
- To direct public questions to the relevant Portfolio Holder instead of the Councillor chosen due to expertise in the subject area.
- To reduce the timeframe to submit a question or statement at Overview & Scrutiny Committees from three working days to two.

The Committee discussed the frequency of repeat questions which was currently quite low. Over the past two years, there had been instances where members of the public had submitted repeat questions several times. Members were concerned that members of the public were not aware of the process of asking questions at council meetings. Councillor Kerin was not worried about the repeat questions but was concerned on the quality of the answer given which would explain why the question was repeated. There may also be a different supplementary question lined up. The Vice-Chair agreed and suggested reducing the timeframe for repeat questions down to three months instead as the number of repeat questions was low. Councillor Spillman felt that if the timeframe for repeat questions were to be reduced to three months, Members could be asking repeat questions more often. He suggested the three Group Leaders should discuss general conduct rules to prevent this from happening if it were to happen.

The Committee went on to discuss the recent signing in procedure for members of the public which was acknowledged as important for the purposes of fire safety. It could also be for the purposes of accountability as members of the public could be held responsible if they broke the rules. The Chair pointed out that the public did not always know the rules and they could be made aware of these rules by incorporating it into the Mayor's speech at the start of a council meeting.

In regards to introducing a new rule on urgent questions, the DMO stated this would be at the Mayor's discretion to consider. The Monitoring Officer (MO),

David Lawson, said this would need a standardised test which would consider whether the question is urgent enough to be put forward in the Full Council meeting or if it could wait until the Full Council meeting the month after. Councillor Kerin supported the idea of urgent questions as he understood from the benchmarking data in the next agenda item, that some councils had a longer deadline for the submission of questions. The DMO replied that too short of a notice for urgent questions could affect the quality of the answer given and the MO gave an example of a member of the public submitting a late question.

There was further discussion on the late submission of questions which included needing to improve communications to make the public aware of the processes. The DMO pointed out that the statutory obligation was to print the agenda for Full Council meetings six working days before the day of the meeting. The deadline for submitting questions could be moved back but the agenda would not have the questions published in it and members of the public would not be aware of what questions would be asked at the meeting. Councillor Spillman felt that too much of a discretion on urgent questions would be unfair on the Mayor as it would put pressure on him and suggested a timeframe of three days before the day of the meeting. The DMO would look into this suggestion in line with the Access to Information rules.

Councillor Kerin said that giving members of the public an opportunity to make a statement instead would allow them to speak on matters important to them. He felt there should be a facility to allow questions to be submitted after the agenda was published as members of the public would not know what would be on the agenda until publication. The MO pointed out this would be in the Forward Plan which needed to be more publicised on a clear and dedicated page to the public on the Council's website.

The Committee moved on to discuss the Council's website which the Vice-Chair said was quite comprehensive and missing some information. He suggested providing a leaflet to help the public understand the rules and procedures in council meetings. The Chair said that not all residents such as elderly people, would know how to access the internet. She also said that some members of the public could find it daunting to speak in the Council Chamber at a Full Council meeting. She felt the procedures and processes needed to be made approachable for everyone.

Councillor Kerin asked if it would be possible for members of the public to subscribe to committees to be notified of when agendas were published. He also said residents should be given the opportunity to book seats at meetings. The Director of Strategy, Communications & Customer Services (DSCC), Karen Wheeler, agreed with the idea of a subscription service which could also include using social media. She said communications should reach further than this to include those who were not familiar with the internet. She also said not all members of the public were aware that they could speak with their Ward Councillors and this should also be communicated. Echoing this, the Chair said there were public forums setup but issues were not resolved in these.

Taking the suggestions and views made by Members, the DMO and MO would look into progressing on the proposed changes as discussed earlier in the agenda item.

8. Are There Additional Ways The Council Can Improve Public Participation?

The Democratic Services Officer (DSO), Wendy Le, gave a brief summary of the benchmarking data which compared 15 Unitary Authority Councils regarding public participation. The data showed Thurrock Council had more information on how members of the public could get involved in council meetings through asking a question, petitions and call-ins. From the benchmarking, the following improvements were suggested for Members to agree on:

- a leaflet (attached as appendix D) could be provided to improve understanding;
- a form on submitting questions (attached as appendix E) could be provided to be attached to the leaflet as well as used online;
- there could be a dedicated page to public participation on the website with instructional videos on how the public could get involved; and
- the dates of upcoming Full Council meetings could be placed on the website with dates of question submission deadlines.

The Vice-Chair sought clarification on the local councils used in the benchmarked group to which the DSO replied that Southend-On-Sea and Essex Council had been included.

The Chair mentioned that new Councillors were not always aware of the processes and rules as it differed across councils. She asked if a guide book was still provided to new Councillors. The DMO replied that a new digital version would be updated and provided.

The Vice-Chair said the deadlines for submitting questions could be put on the website alongside upcoming meetings to help make deadlines clearer. He felt the website did not need to change that much as it was easy to navigate but sections needed to be readjusted. He wondered if the time limit for questions should be adjusted as it limited the amount of questions that could be asked and would result in questions not being answered.

The Committee discussed how the public could be made more aware of how they could get involved in council meetings. The Chair suggested putting posters in libraries and other public offices. They also discussed the time limit for public questions at Full Council meetings which Councillor Spillman felt there should not be a time limit as the meetings were held once a month. He preferred to remove the 'suspending orders' rule which considers terminating meetings after two and a half hours or to continue depending on the votes of Members. The MO said there was no law on suspending orders. The DMO

followed up by saying that questions that were not answered within the time limit were given written answers instead.

Referring back to the Members' earlier points, the DMO summed up with:

- The DSO would work with the Communications Team in regards to the DSCC's earlier comments about using social media to widen public participation.
- A smaller copy on the draft public participation leaflet in appendix D could be provided to the public.

The Members agreed on the suggested improvements to be made as stated earlier in the agenda item.

9. Work Programme

The Committee discussed whether another meeting needed to be held or if the changes could be reported back through email. The Chair felt another meeting should be held as two Members were currently not present.

The meeting finished at 8.25pm

Approved as a true and correct record

CHAIR

DATE

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Democratic Services at Direct.Democracy@thurrock.gov.uk**