

24 August 2017		ITEM: 6
General Services Committee		
Council Questions Procedures		
Wards and communities affected: All		Key Decision: Non-key
Report of: David Lawson, Monitoring Officer and Deputy Head of Legal Services		
Accountable Assistant Director: David Lawson, Monitoring Officer and Deputy Head of Legal Services		
Accountable Director: Fiona Taylor, Director of Law and Governance		
This report is public		

Executive Summary

This report sets out options for making amendments to the Council's Question Procedures in response to recent events.

1. Recommendation(s)

- 1.1 That a procedure be added to the constitution that allows, at the Mayor's discretion, a public question to be submitted at the meeting if he/ she considers it to be urgent or considers it to be by reason of special circumstances;**
- 1.2 That the Committee, within its remit of considering changes to the constitution, request Corporate Overview and Scrutiny Committee to set up a task and finish review into public participation options in the constitution and to report back to General Services Committee, for General Services to consider the need to make recommendations to Full Council on possible changes to the constitution;**
- 1.3 To note that the Council already publishes Forward Plans for both Cabinet and Full Council giving 1 month's public notice of forthcoming decisions and agenda items for those meetings but for the above review to include: any further options such as allowing receipt of public questions after publication of Agenda or moving the publication to an earlier date and to consider whether the repetition rule, upon which a public or Member question cannot be substantially the same as one previously asked in the preceding 12 months, is reduced to 3 or 6 months.**

2. Introduction and Background

2.1 In recent months there have been a number of instances where members of the public have questioned the procedures around submitting questions at Full Council.

2.2 A meeting took place in early August 2017 between the Monitoring Officer, Councillors Hebb, Snell and Gerrish, as well as a member of the public to discuss the wider issues and opportunities surrounding public participation in council meetings. From this meeting there was a wish among those present for Corporate Overview and Scrutiny to establish a review to look into these issues.

3. Issues, Options and Analysis of Options

3.1 This report asks General Services Committee to support this review by overview and scrutiny and agree an amendment to the questions procedures as set out in the constitution.

3.2 The suggested amendment would seek to remedy an immediate issue that has been raised while a more detailed and broader scoped review is undertaken by overview and scrutiny. The amendment would seek to clarify the Mayor's existing powers under urgency rules and could therefore be made as a consequential amendment.

4. Reasons for Recommendation

4.1 The recommendations ensure the review of procedures is placed properly with the accountable body of overview and scrutiny and that the amendment will give confidence to members of the public that the Council is responsive to their immediate queries.

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

5.1 The recommendations were discussed and generally supported by the group representatives at the meeting in August outlined above.

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

6.1 This report supports the ongoing work of the Council to promote democracy and assist members of the public and elected members to access the decision-making process.

7. Implications

7.1 Financial

Implications verified by: **Laura Last**
Management Accountant

There are no financial implications

7.2 Legal

Implications verified by: **David Lawson**
Monitoring Officer and Deputy Head of Legal Services

The legal implications are set out within the body of the report.

7.3 Diversity and Equality

Implications verified by: **Natalie Warren**
Community Development and Equalities Manager

The proposed overview and scrutiny review will allow the public to contribute to the formulation of recommendations for the Council to consider. Similarly, the proposed changes to the constitution will allow for even greater flexibility in the questions procedures and responds to public queries surrounding the current 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):

- Thurrock Council Constitution

9. Appendices to the report

- None

Report Author:

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