

# APPENDIX D

## **Draft of Public Participation Guide**

Based on research, a draft booklet has been put together to help the public understand how they can ask a question at Council and Committee meetings. This guide also gives details on how the public can have their say and get involved in petitions and call-ins.

# Participating in Council and Committee Meetings

Your guide to on how to get involved



## History of Public Questions at Thurrock Council Committee Meetings

The vision of Thurrock Council has always been 'a place of opportunity, enterprise and excellence, where individuals, communities and businesses flourish'. To bring this vision to light, we need the people of Thurrock to bring their statements and questions forward to us.

Every month, we hold several Committee meetings in a wide variety of subjects which are:

- Full Council Committee
- Cabinet Committee
- Planning Committee
- Licensing Committee
- Sub-Licensing Committee
- Children's Services Overview and Scrutiny Committee
- Cleaner, Greener and Safer Overview and Scrutiny Committee
- Corporate Overview and Scrutiny Committee
- Health and Wellbeing Overview and Scrutiny Committee
- Housing Overview and Scrutiny Committee
- Planning, Transport, Regeneration Overview and Scrutiny Committee



The public are welcome to attend any of these meetings and ask a question. In the Council year which ran from May 2015 to May 2016, we had a total of 64 questions and statements from the public which had helped us to make more informed decisions to suit the needs of the people within Thurrock. In the last Council year from May 2016 to May 2017, we had 47 questions and statements.

In some circumstances where confidential or exempt matters are discussed, the public and press would not be able to attend that part of the meeting.

## How to Get Involved

The Council encourages all members of the public to get involved in our Committee meetings which are widely advertised through:

- our website under Council and Democracy – How We Work and How You Can Have Your Say;
- our Task and Finish groups where we direct our consultation directly to the public affected;
- our Forward Plans which are published 28 days in advance to highlight key decisions to be made in upcoming meetings;
- our agenda publications that can be found in our Main Reception at the Civic Offices; and
- our Public Notice board located at the entrance to the Civic Offices.

Your question should be delivered in writing to the Monitoring Officer who would ensure the question:

- is clearly worded and concise without extending into a statement;
- is not defamatory or offensive;
- does not disclose any confidential information or identify an employee of the Council;
- is not similar to a question that has already been asked within the past year; and
- does not give an answer that will disclose confidential or exempt information.

Only one question should be submitted for any one meeting. Once the question is accepted, the Monitoring Officer would then put the question in the agenda for the meeting.

In cases where more than one person wishes to ask a similar question, one would be chosen through a fair draw to speak. This can often be the case in Planning Committee meetings.

It's easy to get involved in any of our Committee meetings but asking a question in a Council meeting will differ slightly to asking one in an Overview and Scrutiny Committee.



## Participating in Full Council

What's the meeting about?	<p>The Council meets most months to discuss a number of items which can include any of the following:</p> <ul style="list-style-type: none"> <li>• Amend the Constitution if required;</li> <li>• Approve and adopt the Budget and Policy framework;</li> <li>• Make, amend, revoke, re-enact or adopt bylaws; or</li> <li>• Any other matters which, by law, are reserved to Council.</li> </ul> <p>An annual council is held in May every year for re-elections.</p>
Number of Members involved	All 49 elected Councillors

For Councillors:	Details	Deadlines	What happens next	At the meeting
Questions without notice	<ul style="list-style-type: none"> <li>• Members can ask any question without notice in regards to a report or recommendation after it's presented. This is also known as the general debate that follows each report.</li> </ul>	None	N/A	N/A
Questions on notice	<ul style="list-style-type: none"> <li>• A maximum of 2 questions can be submitted and addressed to the Leader, a Member of the Cabinet, a Chair of any Committee or Sub-Committee.</li> <li>• Questions cannot extend into another part.</li> <li>• The Leader of the opposition party can ask 4 questions in total.</li> </ul>	By 5pm, six working days before the meeting e.g. If a meeting takes place on Wednesday, questions will need to be in by Monday 5pm the week before.	<ul style="list-style-type: none"> <li>• The Monitoring Officer will place the question to the addressed Member onto the agenda.</li> <li>• Questions will be placed on the agenda in the order that they are received.</li> </ul>	<ul style="list-style-type: none"> <li>• The Mayor will give permission for the Member to ask their question(s).</li> <li>• An additional 2 supplementary questions can be asked which relate to the answer given or initial question.</li> </ul>

For the public:	Details	Deadlines	What happens next	At the meeting
Questions	<ul style="list-style-type: none"> <li>• Questions can be submitted relating to any issue that affects Thurrock or its residents.</li> <li>• The question can be addressed to the Leader, a Member of the Cabinet or a Chair of any Committee or Sub-Committee.</li> <li>• Only one question can be submitted and must not extend into another part.</li> </ul>	<p>By 5pm, six working days before the meeting e.g. If a meeting takes place on Wednesday, questions will need to be in by Monday 5pm the week before.</p>	<ul style="list-style-type: none"> <li>• We will respond to let you know if your question has been accepted with notification of any suggested amendments.</li> <li>• The Monitoring Officer will place the question to the addressed Member onto the agenda.</li> <li>• Questions will be placed on the agenda in the order that they are received.</li> </ul>	<ul style="list-style-type: none"> <li>• A member of Democratic Services will guide you to your seat when the relevant agenda item is presented.</li> <li>• You verbally ask your question but cannot make any further statements or questions.</li> <li>• You will be allowed to ask 1 supplementary question relating to the answer you was given or your initial question.</li> </ul>

## Participating in Planning Committee

What's the meeting about?	The Planning Committee meets in a 5 week cycle to decide on planning and other similar related applications.
Number of Members involved	Nine elected Members and two non-voting co-opted Members.

For Councillors not on the Committee:	Details	Deadlines	What happens next	At the meeting
Statements	<ul style="list-style-type: none"> <li>Statement must relate to an issue or application to be considered on the agenda of the meeting.</li> <li>Can be in support or opposition to the matter.</li> </ul>	By 12 noon, two working days before the meeting starts, not including the day of the meeting e.g. If the meeting takes place on Thursday, questions will need to be in by Monday 12 noon of the same week.	<ul style="list-style-type: none"> <li>We will respond to let you know if your question has been accepted with notification of any suggested amendments.</li> <li>If there is more than one speaker on an application, a ballot will be held at 4pm, two working days before the meeting, with all the relevant parties present.</li> <li>Your question or statement will be placed on the agenda in the relevant section.</li> </ul>	<ul style="list-style-type: none"> <li>You verbally ask your question but cannot make any further statements or questions.</li> <li>You will be allowed to ask 1 supplementary question relating to the answer you was given or your initial question.</li> </ul>

For the public:	Details	Deadlines	What happens next	At the meeting
Questions and Statements	<ul style="list-style-type: none"> <li>• One question or statement can be made.</li> <li>• Can be in support of or opposition to a matter or application that is to be considered at the meeting.</li> <li>• Speakers can speak for themselves or on behalf of others.</li> </ul>	<p>By 12 noon, two working days before the meeting starts, not including the day of the meeting e.g. If the meeting takes place on Thursday, questions will need to be in by Monday 12 noon of the same week.</p>	<ul style="list-style-type: none"> <li>• We will respond to let you know if your question has been accepted with notification of any suggested amendments.</li> <li>• If there is more than one speaker on an application, a ballot will be held at 4pm, two working days before the meeting, with all the relevant parties present.</li> <li>• Your question or statement will be placed on the agenda in the relevant section.</li> </ul>	<ul style="list-style-type: none"> <li>• A member of Democratic Services will guide you to your seat when the relevant agenda item is presented.</li> <li>• You verbally ask your question but cannot make any further statements or questions.</li> <li>• You will be allowed to ask 1 supplementary question relating to the answer you was given or your initial question.</li> </ul>

## Participating in Overview and Scrutiny Committees

<p>What's the meeting about?</p>	<p>Overview and Scrutiny Committees are appointed to look into matters relating to their subject committee and most of them usually meet every other month. Thurrock Council has six Overview and Scrutiny Committees which are:</p> <ul style="list-style-type: none"> <li>• Children's Services – child protection, health, welfare, education and youth services.</li> <li>• Cleaner, Greener and Safer – waste and recycling, community safety, trading standards and environmental protection.</li> <li>• Corporate – performance of the Council, corporate and cross cutting services, value for money and related matters.</li> <li>• Health and Wellbeing – adult social care and health services related matters.</li> <li>• Housing – all housing services related matters.</li> <li>• Planning, Transport and Regeneration – physical and economic development and services provided by the planning and highways services.</li> </ul>
<p>Number of Members involved</p>	<ul style="list-style-type: none"> <li>• Children's Services – Six (no Cabinet Members) and four co-opted Members with voting rights in educational matters only.</li> <li>• Cleaner, Greener and Safer – Six (no Cabinet Members).</li> <li>• Corporate – Six (no Cabinet Members).</li> <li>• Health and Wellbeing – Six (no Cabinet or Health and Wellbeing Board Members) and two non-voting co-opted Members.</li> <li>• Housing – Six (no Cabinet Members) and one non-voting co-opted Member.</li> <li>• Planning, Transport and Regeneration – Six (no Cabinet Members).</li> </ul>

For Councillors not on the Committee:	Details	Deadlines	What happens next	At the meeting
Questions and Statements	<ul style="list-style-type: none"> <li>Members can speak with the permission of the Chair.</li> <li>Further speaking may be permitted at the discretion of the Chair.</li> </ul>	None.	N/A	<ul style="list-style-type: none"> <li>There is a 3 minute time limit for asking questions or making a statement.</li> </ul>

For the public:	Details	Deadlines	What happens next	At the meeting
Questions and Statements	<ul style="list-style-type: none"> <li>One question or statement can be made.</li> <li>The question must relate to an item on the agenda.</li> <li>The question must not be in more than one part.</li> </ul>	By 5pm, three working days before the meeting e.g. If the meeting takes place on Thursday, questions will need to be in by 5pm Monday of the same week.	<ul style="list-style-type: none"> <li>We will respond to let you know if your question has been accepted with notification of any suggested amendments.</li> <li>Your question or statement will be placed on the agenda in the relevant section.</li> </ul>	<ul style="list-style-type: none"> <li>A member of Democratic Services will guide you to your seat when the relevant agenda item is presented.</li> <li>You verbally ask your question but cannot make any further statements or questions.</li> <li>You will be allowed to ask 1 supplementary question relating to the answer you were given or your question.</li> </ul>

## **Co-opted Members**

A co-opted Member is someone who represents a specific subject of interest but they are not elected by Council Members. The Council may appoint co-opted Members to sit on any committee or Task and Finish group because of their specialised area of interest or experience.

Co-opted Members can contribute to discussions with their knowledge but largely have no voting rights unless there is legislation to support voting rights. Instead, their expertise can help Members to make better informed decisions.

For co-opted Members to ask questions, the process is the same as Members of the Council.

## Petitions

A petition is a formal document signed by a number of people requesting another form of action or solution from the government or another authority. In addition to asking questions, members of the public can also participate in petitions which are a way for residents to let us know of their concerns.

Residents can sign petitions or present a petition at any of the following meetings:

- Full Council
- The Cabinet

Petitions can also be handed in to any Officer or Member. A Member can present the petition on behalf of residents. Alternatively, petitions can be posted in to Democratic Services.

There are several guidelines to follow for petitions which are:

- There must be at least 10 local government electors within Thurrock to support the petition along with their names, valid addresses and signatures to be included.
- A clear and concise statement on the nature of the petition with recommendations on what the petitioners would like the Council to do.
- The issue must be related to a responsibility within Thurrock's authority and will affect Thurrock.
- The petition must not be seen as trivial, defamatory, offensive, disclose exempt or confidential information and not be the same as a previous petition in the last 12 months.

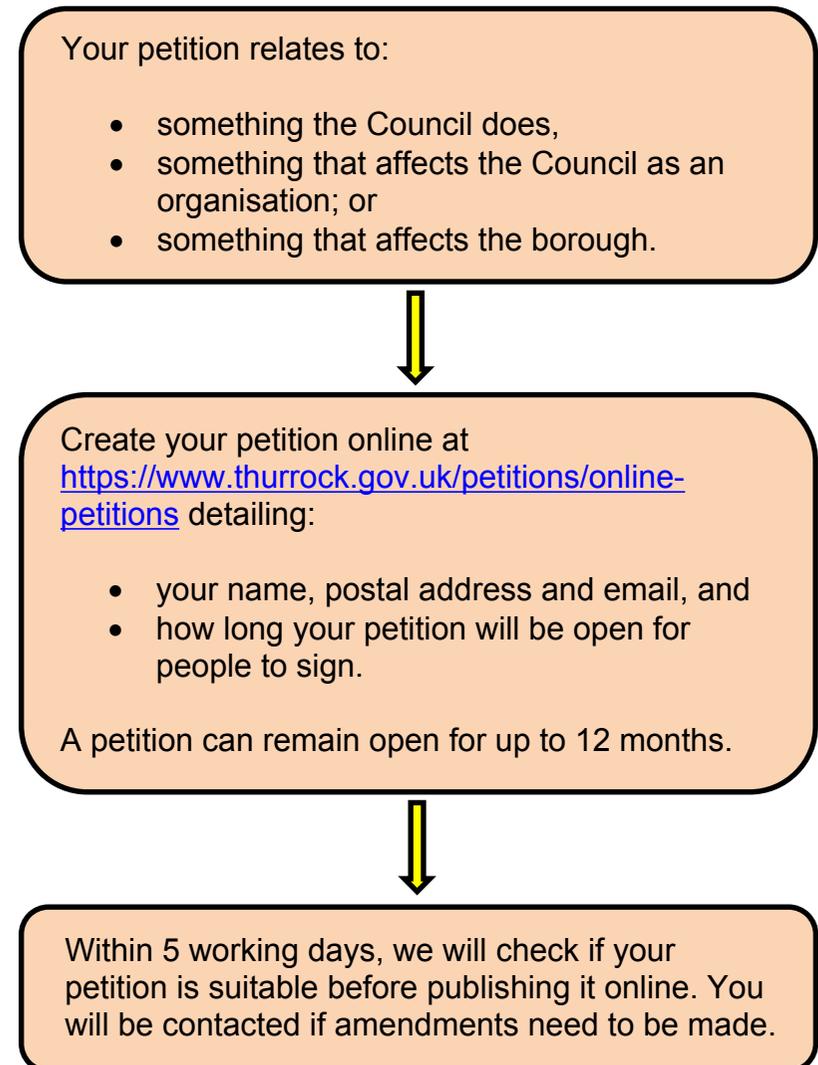
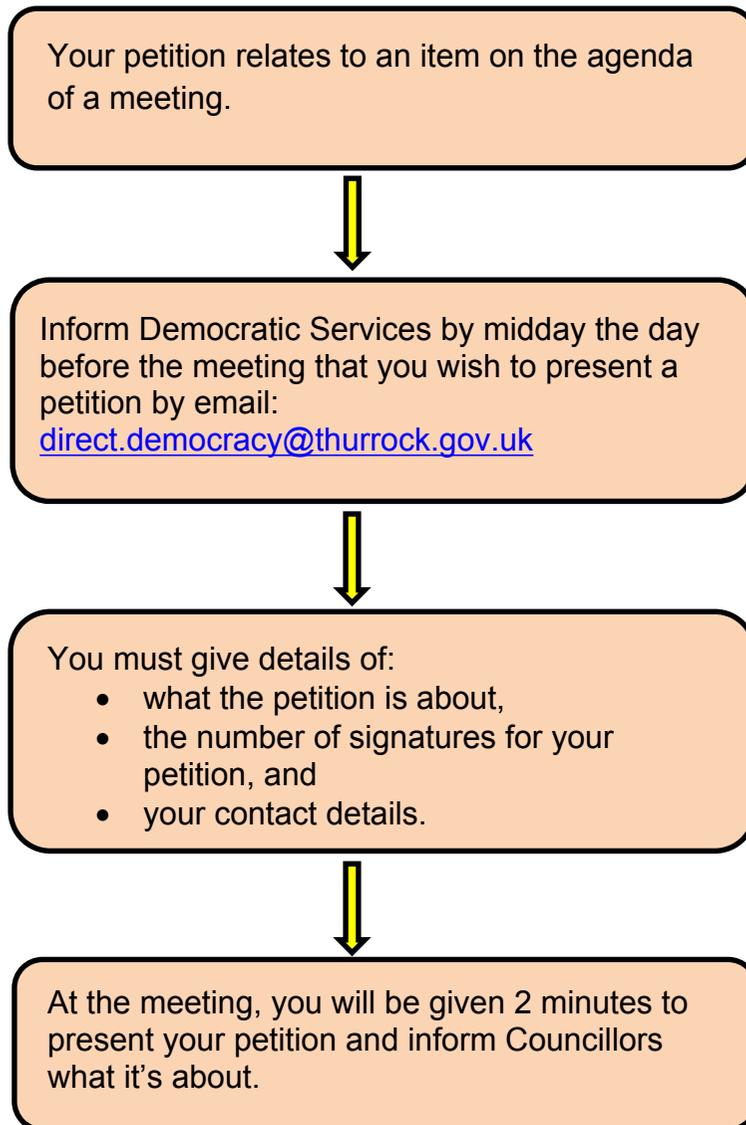
Any petitions that do not reach the required 10 signatures, the Council would seek alternative solutions to ensure residents' views are considered. Petitions which have received over 1500 signatures would be taken to a Full Council meeting for debate.

There are some petitions which do not follow this process above because there is already an established process in place. These are:

- Any issue that relates to an individual or entity which already has an existing review process or right of appeal e.g. Council tax banding.

- A statutory petition e.g. demanding a referendum on having an elected mayor.
- Council staff petitions which would be dealt with through the Council's relevant Human Resources Policy.
- Any petitions relating to the daily operation of a certain school which would be referred to the relevant Governing Body of the school.
- Any issues that are outside of Thurrock Council's direct control e.g. issues governed by another borough or by national or EU legislation.
- Any petitions that relate to a matter that is already in legal proceedings or if the Council is in a legal dispute with.

## The Procedure for Presenting a Petition at a Meeting



## Getting Involved With Call-Ins

A call-in asks for a decision made by the Cabinet to be looked at again. Decisions can be called-in if there is evidence showing the decision maker did not follow the principles of decision making as outlined in the Constitution. Decision making should be made under the following principles:

- In the interests of the individuals and communities within the Thurrock Borough Council
- The decision to be similar to the desired outcome
- Follow the Council's consultation strategy
- Respect for human rights
- With an open-mind
- With clear aims and desired outcomes
- Be in line with the Council's Budget and Policy Framework.

For members of the public to make a call-in, there needs to be 10 members of the public living, working or studying within Thurrock.

Not all decisions can be called-in. These include:

- recommendations on the Budget and Policy framework made by the Cabinet, which can only be reviewed by Council;
- decisions to be immediately enforced under the Access to Information Procedure Rules;
- urgent decisions outside of the Budget and Policy framework; and
- decisions to award a contract after a lawful procurement process.

## How to Make a Call-In

Within 5 working days of the publication of the decisions notice, you could call-in a decision via post, email or via our online form at <https://www.thurrock.gov.uk/challenging-decisions/how-to-call-in-decision>

The written notice must state:

- why the decision needs to be sent back for review
- an alternative recommendation to be considered instead

Please ensure the written notice contains:

- Names and addresses of the 10 or more members of public who live, work or study in Thurrock
- the required signatures or separate emails/letters from each individual

Once received, an Overview and Scrutiny Committee will either:

- Reject the call-in or
- Accept it and refer the decision back to the Cabinet to be reconsidered

## Useful Information

Questions, petitions and statements can be sent in via post to:

Democratic Services,  
Thurrock Council,  
Civic Offices,  
New Road,  
Grays,  
Essex,  
RM17 6SL.

Email:

[direct-democracy@thurrock.gov.uk](mailto:direct-democracy@thurrock.gov.uk)

For any help or assistance, we can be contacted by phone on 01375 652831