

Constitution Working Group

Briefing Note: Update on Action Points from 31 October 2017 Meeting

Purpose of the briefing note: This Briefing Note updates Members on the progress of their recommendations and further discussions following the meeting of the Constitution Working Group held on 31 October 2017.

1.1 The Timeframe for Repeat Questions

Members felt the current timeframe of 12 months was too long for the public to wait to ask a repeat or similar question. The public would not have been aware of the question being repeated or being similar either. A more suitable timeframe of 3 months was suggested for Full Council and Overview and Scrutiny meetings.

Action:

This change has been included into the Constitution for agreement by Full Council and is included in this agenda pack (see Appendix 1).

1.2 Deadline for Question Submissions (in particular, urgent questions)

Compared to other councils, the timeline for submitting questions at Thurrock Council meetings are shorter. Members discussed having a longer timeline or allowing questions to be submitted after the publication of the agenda. This would mean that accepted questions afterwards would not be on the agenda.

Action:

Officers have looked into this and found the following comparative data:

- Essex County Council had a shorter deadline of seven working days; and
- Southend-on-Sea Council, Slough Council and Warrington Council had a slightly longer deadline of five working days.

The current deadlines for submission of public questions are in place to allow sufficient time for:

- Democratic Services and the Monitoring Officer to discuss any relevant or important matters with the residents submitting the questions. This usually includes important issues of clarification or revision.
- The Monitoring Officer, Democratic Services and relevant departments to have discussions on the questions in relation to the Council Procedure Rules.
- The questions to be published as part of the agenda, allowing for greater openness in the questions process.

With this in mind the deadlines provide an important juncture in the current process and to change these would have a significant impact in the current procedures and processes the Council has in place to ensure questions are compliant with the Constitutional rules and accessible to the public. Greater time is needed to assess the impact of any change.

However, a way around this would be for the Constitution to be amended to allow for urgent questions to be accepted if they met a certain criteria. The wording would be as follows:

“The Mayor shall accept any public or Member question submitted after the prescribed deadline if it:

- a) Is of significant interest to Thurrock and cannot reasonably wait until the next Council meeting.*
- b) The question relates to an emergency or an event of borough wide significance that has occurred after the deadline for questions.*
- c) Any other circumstance that the Monitoring Officer deems reasonable.*

Once accepted the question will be emailed to all Members and published on the Council’s website as an addendum”.

Such an addition would allow for a structured system to accept late submissions that had relevance or significance to the time of the meeting. This clause could be piloted for the 2018-19 year to see whether it complements the current procedures.

However, the Mayor already has this discretion and power to accept late questions. Adding this extra wording would be for clarity.

1.3 Accessibility of the Council’s Website

Some Members thought the website was well mapped out and provided enough information. To help the public's understanding, it was suggested that areas of the website could be amended for better navigation. The idea of a subscription service was brought up as well to ensure people had the option to subscribe to updates on council and committee meetings.

Action:

Following on from the Constitution Working Group meeting, the Democratic Services Team had met with the Communications Team to discuss ways to improve the website.

The following actions were agreed and will progress:

- The Web Manager proposed to add a new section called "Attending Public Meetings" (or "Attending Council Meetings" depending on preference). This new section would include information on attending meetings including behaviour and recording public meetings, asking questions at meetings and speaking at Planning Committee. It would replace the current sections of 'Speaking at Planning Committee' and 'Asking Questions at Council Meetings'. To enable website users to find this new section, it will be placed in the current sections of 'Committees and Meetings' and in 'How We Work and How You Can Have Your Say'.
- Extra information within the 'Asking a Question at Council Meetings' section will be included to make it easier for members of the public to understand this procedure. This information will be taken from the draft public participation leaflet that had been drawn up by Democratic Services, which had been approved by this Group as well as the Communications Team.
- Deadline dates for submitting questions to council and committee meetings would also be added in the 'Committee Meetings' section of the website to give members of the public a better indication of the deadlines and will help with point 2 above. These will be added in the next municipal year.
- The Council's website already has a subscription service in place, however, it was not prominent and was not straightforward to sign up to. The Web Manager will look into amending this so that it would appear on the main 'Council and Democracy' section of the website to encourage members of the public to sign up.

- The Web Manager will also develop an online form to enable members of the public to submit their questions on this form. Democratic Services plan to upload videos and presentations of 'How To...' guides to explain the processes on topics such as petitions, call-ins, asking questions etc. The videos and presentations have been completed and will be discussed with the Web Manager when they are ready to be uploaded. This will be on the Council website and in Members Training.

1.4 **Providing a Public Leaflet to Outline Rules and Procedures in Council Meetings**

Democratic Services had drawn up a draft leaflet to encourage wider public participation as well as giving the public a better understanding of the procedure in asking questions at meetings. The leaflet was informative and would be a good idea particularly for those who had no access to the internet. It was suggested that a smaller and shorter leaflet could also be provided.

Action:

After meeting with the Communications Team, it was decided that the information from the draft public leaflet would be incorporated into sections of the website. The reason for this was because a lot of the information in the leaflet was already provided on the website. Producing the leaflet would result in information being repeated.

A shorter and more practical version of the leaflet was also drawn up by Democratic Services which would be used to send to members of the public who submit questions for council meetings and would give them the essential information on processes and conduct at the meeting. The shorter version of the leaflet would be used in the next municipal year of 2018-19.

1.5 **Widening Public Participation Through Social Media**

Not many members of the public were aware that they could speak with their Ward Councillors. It was suggested that this could be communicated through social media channels, alongside regular information about meetings.

Action:

The Director of Strategy, Communications and Customer Service would be communicating deadline dates for question submissions through social media channels. She would highlight that residents could speak with their Ward Councillors on issues as well.

1.6 Assigning Seats at Full Council Meetings

The Group had discussed the possibility of assigning seats for members of the public via an online booking system.

Action:

In the meeting with the Communications Team, this was discussed. Although it was possible to implement this system online, there were some governance challenges identified, namely:

- Council and Committee meetings are open to all members of the public and the introduction of a booking system could potentially exclude people who are not aware of the booking system or do not have access to the internet. In other words, a booking system could foster a feeling of exclusion from members of the public if they have not booked a seat and attend on the night instead.
- The public gallery is rarely full and therefore negates implementing a booking system when a resident could justifiably turn up on the night and take a seat. This could create frustration between residents if some feel they are complying with perceived rules and others are not.
- If a booking system was to be used it would need to be promoted appropriately to avoid piecemeal take up.

1.7 Questions at Planning Committee

Members at the Constitution Working Group discussed the possibility of having multiple representations for applications at Planning Committee.

Action:

Democratic Services had researched into how other Councils proceed with public speaking at Planning Committee. Thurrock Council currently accepts one speaker to oppose an application and one to support an application. This creates an even playing field for both applicant and objector within a quasi-judicial setting. Applications which had several people in support of or against an application would go through a 'drawing of lots' procedure. This was a fair method to choose the one representative in support of or against an application.

From the research compiled it was clear councils operated differently to Thurrock Council and some allowed multiple representations or a time allocation for more than one representative to speak.

Thurrock's Planning Committee procedures were put in place to enforce quasi-judicial procedures and the perception of fairness following the Improvement Board and Government intervention in Thurrock's past. Therefore, it is essential that any changes maintain this. Officers are currently seeking the expert input of the Planning and Legal Departments as to what changes can be affected that can be presented to this Group and Full Council for discussion.

1.8 Three Minutes to Speak on Any Topic at the Beginning of a Full Council Meeting

Members discussed the possibility of introducing a public speaking forum which would enable members of the public to speak for three minutes each on a topic of their choice. The Mayor currently had the discretion to allow members of the public to speak on topics in the agenda.

Action:

Democratic Services has drafted a procedure for public speaking at the start of Full Council meetings. This would include a time limit of 10 minutes which would mean a maximum of three speakers would be allowed (see Appendix 2).

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