



REPORT TO: Civic Affairs Committee
LEAD OFFICER: Monitoring Officer

26 June 2018

Public Representations at Council meetings

1. Purpose

- 1.1 To consider operating a pilot scheme to allow members of the public to make written representations at full Council meetings without giving prior notice.

2. Recommendation(s):

- 2.1. That the Civic Affairs Committee considers whether to recommend the Council to introduce a twelve month pilot scheme to allow the public to make written representations at full Council meetings in accordance with the scheme set out at Appendix A

3. Background

- 3.1 At present, public participation in full Council meetings is limited to either questions on notice (at the discretion of the Chairman) or the presentation of a petition. Members of the public do not have the opportunity to make representations directly relating to items on the agenda.
- 3.2 Council Standing Order Rule 10 (Questions by the Public) in Part 4 of the Constitution sets out the rules governing the operation of public question time. In summary, they require members of the public to give notice of their question no later than midday seven working days before the day of the meeting, although the Chairman may permit a question to be asked if shorter notice is given. This means that questions need to be received before the agenda is published. Questions are dealt with under a separate slot towards the beginning of the agenda and Rule 10.1 (f) provides that a maximum of 10 minutes is allowed for public questions on any specific agenda item. Each questioner can speak for a maximum of three minutes, plus one supplementary question and only one question per person may be asked. One public question was asked at Council during 2017/18.
- 3.3 The rules on petitions are set out at Section N of Part 5 of the Constitution. Petitions normally need to be received 10 working days before the meeting to enable signatures to be checked and work to be undertaken to gather the information and advice needed to consider the petition. Petition organisers can address the meeting for up to three minutes. No petitions were received at Council meetings during the last Municipal Year, although one was submitted to Cabinet in April 2018, having missed the Council deadline.
- 3.4 This report invites the Committee to consider whether to introduce a pilot scheme to allow the public to submit written representations on individual Council agenda items with a view to encouraging greater public engagement.

4. Considerations

- 4.1. Attached at Appendix A to this report is a draft scheme to enable written public representations to be made on individual agenda items at Full Council meetings.
- 4.2. It will be seen that in order to maximise the potential for public engagement, the scheme provides for representations to be submitted without formal advance notice. However, to facilitate management of the meeting it is proposed that the representation must be made in writing. To ensure efficient running of the meeting, the scheme does provide for members of the public to arrive no later than 15 minutes before the start of the meeting to provide their written representation, together with their name and an indication of the item to which the representation relates. It is proposed that the Chairman should read out each representation at the beginning of the item concerned. The order in which statements are read out should be in the order in which they are received. The draft scheme at Appendix A suggests that no more than 3 written statements per item should be permitted.
- 4.3. Section 3 of Appendix A details the general principles governing operation of the scheme to make it clear, for example, that participation is not allowed on planning or licensing decisions (for which there are separate public participation schemes); on any matter relating to the competence of an officer or Member or on exempt business.
- 4.4. It is proposed that the Chairman be given wide ranging discretion to manage and control operation of the scheme and flexibility to adapt the procedures to circumstances as required, for example if there are a large number of written statements submitted on any one item and the Chairman thinks it is in the best interests of the Council to vary the arrangements to allow wider participation than permitted by the scheme. The scheme provides this flexibility for the Chairman at section 4.
- 4.5. Rather than seeking formal variation of the Constitution at this stage, it is suggested that the scheme be run on a pilot basis for a period of, say, twelve months in order that it can be further refined and adapted in the light of experience. Similarly, it is proposed that the pilot apply just to meetings of full Council, although following the review of the pilot, Members may wish to consider extending the scheme to committee meetings.
- 4.6. A report elsewhere on this agenda invites the Committee to consider establishing a task and finish group to review the Constitution. As part of that review, the current procedures for public participation at Council and Committee meetings could be reviewed. The operation of the pilot scheme for public written representations could likewise be reviewed by the task and finish group as part of its remit.

5. Options

- 5.1. The Committee could decide not to recommend Council to introduce a pilot scheme to permit public representations to be made at Full Council or could vary the scheme at Appendix A.

6. Implications

In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any

other key issues, no significant implications have been identified.

Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

None

Report Authors: Rory McKenna
Telephone (01223) 457194

Kathrin John
Telephone: (01954) 713030