

Audit & Governance Committee

27 February 2023

Review of Public Participation Rules

For Recommendation to Council

Portfolio Holder: Cllr S Flower, Leader of the Council

Local Councillor(s): All

Executive Director: J Mair, Director of Legal & Democratic

Report Author: Susan Dallison
Title: Team Leader, Democratic Services
Tel: 01305 252216
Email: susan.dallison@dorsetcouncil.gov.uk

Report Status: Public

Brief Summary:

In November 2022 the Monitoring Officer received a request from the Chairman of Council to review the current public participation procedure rules. The request was prompted by the Full Council meeting held in October 2022 when the council received a total of 18 questions and 2 statements from residents and organisations for the public participation period. The time provided in the Constitution for public participation is 30 minutes. To provide equity and to enable all of the questions to be out at the meeting the Chairman requested each person to read out the question only and not the preamble. The receipt of such a large number of questions from the public made the management of the public participation difficult for the Chairman of Council as it was unsatisfactory for residents who had submitted a question with a long preamble who were then unable to put the question into context at the meeting. The Chairman of Council subsequently made a request to the Monitoring Officer to review the current procedure rules to see if improvements could be made to make the process more manageable whilst giving the public the opportunity to read out their questions in full, including the preamble, within the half hour public participation period. At the meeting of the Audit & Governance on 14th November 2022 members agreed to establish an informal Task and Finish Group to undertake the review with a report back to the Audit & Governance Committee with any recommendations.

Recommendation:

That the Procedure Rules for Public Participation be amended as follows:

- (a) That the Council accepts the first 8 questions and the first 8 statements received from members of the public or organisations for each Full Council meeting on a first come first served basis in accordance with the current deadline for receipt of questions and statements;
- (b) That any questions received over the first 8 questions, the resident or organisation will be asked if they wish to receive a written response from the Portfolio Holder;
- (c) That members of the public or organisations can submit a maximum of 1 question or 1 statement at each meeting of the Full Council;
- (d) That each question or statement submitted be up to a word count of 450 and the response from the Portfolio holder be a maximum of 300 words;
- (e) That statements received by residents or organisations be published, in full, before the Full Council meeting as a supplement to the agenda and published, in full, as an appendix to the minutes but will not be read out at the Full Council meeting to allow more time for questions and responses.

Reason for Recommendation:

To enable the Chairman of Council to manage the half hour public participation period effectively and allow each person who submits a question to read out the question in full and receive a response.

1. Report

- 1.1 Following the agreement of the Audit & Governance Committee a politically balanced informal member task and finish group was established and the following members were nominated by Political Group Leaders:

Cllr Val Potheary (Chairman of Council)

Cllr Richard Biggs (Chairman of Audit & Governance Committee)

Cllr Barry Goringe (Vice-chairman of Council & member of Audit & Governance Committee)

Cllr Bill Pipe (Member of Audit & Governance Committee)

Cllr Belinda Bawden (Member of Audit & Governance Committee)

- 1.2 A meeting of the Task and Finish Group was held on Thursday 5th January 2023 with the following members and officers in attendance:
Cllr B Bawden, Cllr R Biggs, Cllr B Pipe and Cllr V Potheary (on-line), J Andrews and S Dallison. Cllr B Goringe sent his apologies.
- 1.3 The Chairman of Council outlined the difficulties of managing the public participation period when such large numbers of questions were received

and the unsatisfactory position of having to ask the public to read out the question only without the preamble that put the question into context. The Group discussed the various options for effectively managing the public participation element of the Full Council meeting. Members considered moving the public participation period to the end of the agenda, to allow for the council's decision making to take place first, however the Group felt that this would have a detrimental effect on public participation as it may put off residents from attending the meeting if they had to wait until the end of the agenda. The Group also considered whether the 30-minute public participation period should be extended to a longer timeframe but felt overall that this would not be practical as it would give less time for the formal decision making on the council's strategic policies which should be the main focus of the meeting. The Group did however feel that there were a number of alterations that could assist the Chairman of Council with managing the public participation period and these suggestions for amending the current procedure rules are set out in the Recommendations (a) to (e) above.

1.4 The rationale for each of the recommendations is set out below:

(a) That the Council accepts the first 8 questions and the first 8 statements received by members of the public or organisation for each Full Council meeting on a first come first served basis and in accordance with the current deadline for receipt of questions and statements. In the current Procedure Rules, there is no limit to the number of questions or statements that will be accepted for each public participation period. The Chairman of Council therefore finds herself in a position of trying to squeeze all questions into the 30-minute period no matter how many questions are submitted. The Group felt that a maximum of 8 questions was a reasonable and practical number to deal with within the 30-minute public participation period. A limit of 8 would ensure that the resident would be assured of being able to ask their question in full and receive the response from the appropriate Portfolio Holder without feeling rushed or being denied the opportunity to read out the preamble to their question.

(b) That any questions received over the first 8 questions, the resident or organisation will be asked if they wish to receive a written response from the Portfolio Holder. To ensure that all residents or organisations that submit a question receive a response the Group considered it important that all those over the first 8 questions received and accepted will be offered a formal written response from the Portfolio Holder. This arrangement would mirror the current procedure rule that any question not read out within the 30-

minute period would receive a written response from the appropriate Portfolio Holder. The Group was also supportive of a suggestion from officers that when corresponding with the resident the Democratic Services Officer could signpost the resident to other options that might be helpful, for example if the answer to a question could be found online or the option of submitting a question to one of the monthly Cabinet meetings.

(c) That members of the public or residents can submit a maximum of 1 question or 1 statement at each meeting of the Full Council;

The current Procedure Rules enable a resident to submit up to 2 questions or 2 statements or 1 question and 1 statement at each Full Council meeting. By adjusting this to 1 question or 1 statement per resident or organisation would allow for up to 8 members of the public to speak at each meeting. If this rule was not adjusted as proposed, it could restrict the number of people speaking to just 4 at each meeting if the current full entitlement was applied.

(d) That each question or statement submitted be up to a word count of 450 and the response from the Portfolio holder be a maximum of 300 words;

Under the current Procedure Rules each resident asking a question has up to 3 minutes to read out each question, which includes time for the preamble to put a question into context. The Task and Finish Group are not proposing to change the time allowed but have asked that it be expressed by the number of words allowed i.e. 450, this enables the person submitting the question to easily check via a word count and to encourage the resident to read the question as submitted rather than read out alternative wording at the meeting. The Task and Finish Group also felt that responses from Portfolio Holders could be more direct and succinct and therefore are suggesting that the response to each question be a maximum of 300 words or 2 minutes.

(e) That statements received from residents or organisations be published, in full, before the Full Council meeting as a supplement to the agenda and published, in full, as an appendix to the minutes but will not be read out at the Full Council meeting to allow more time for questions and responses.

The Task and Finish Group are proposing that the Procedure Rules be amended so that statements submitted for the Full Council meeting are not read out during the public participation period. In line with the current set of procedure rules statements do not receive a response and this change would enable more questions to be put and answered at the meeting. The statements, as now, would still be published with the agenda and appended to the minutes of the meeting as a matter of public record.

- 1.5 Although not forming part of the recommendations the Task and Finish Group wished to highlight the benefit to democracy of enabling members of the public to ask their questions via the hybrid MS Teams facility and thanked the Chairman of Council for introducing this as part of the arrangements for Full Council meetings. The Group also expressed support for any changes approved to the public participation procedures to be communicated with the public together with information on how to engage with the council as part of the democratic processes.

2. **Financial Implications**

None

3. **Environmental Implications**

None

4. **Well-being and Health Implications**

None

Other Implications

None

Risk Assessment

- 6.1 HAVING CONSIDERED: the risks associated with this decision; the level of risk has been identified as:

Current Risk: LOW

Residual Risk: LOW

Equalities Impact Assessment

Not required

Appendices

None

Background Papers

Link to the Procedure Rules in the current Constitution:

[Constitution Procedure Rules](#)