

## **Public Participation Schemes in English Local Authorities using the Committee Governance System**

*Researched and written by Andrew Warnes – 24/02/2023*

This paper looks at the aspects of public participation in committee system local authorities, in order to facilitate any possible clarifications and administrative amendments. The paper takes a literature review style approach, and describes their current operating procedures. Following this matrix and review, there are a few local authorities who utilise the committee system that do not have any such public participation schemes for their committees.

This is then to give a more rounded picture of similar local authorities, and where West Lindsey stands in relation to them, and how they deal with public participation at each of their committee meetings. This is not a definite must, but it allows officers and Members to better understand where West Lindsey sits in terms of current practice and what is further possible. It is intended to facilitate a better understanding of what each local authority allows, regarding the public giving their opinions on the policies and administration of their local authority.

### **A matrix comparing other committee system local authorities**

<b>The Local Authorities</b>	<b>Registration in Advance – Yes/No/Notice required?</b>	<b>Time limit allowed for Speakers</b>	<b>Submission of questions in advance</b>	<b>Right of Response? Any debate after question?</b>	<b>Placement of Public Participation on agenda</b>	<b>Anything else to note?</b>
West Lindsey District Council <sup>1</sup>	No notice officially required.	3 minutes for each speaker to address the committee, with 15 minutes allocated.	Nothing requiring submission of questions in advance, but it is advised to register your question in advance.	No right of response, nor any debate. Points of order allowed.	Second item on all committee agendas.	Requests correspondence details are provided. Rules different to Full Council meetings.
East Cambridgeshire District Council <sup>2</sup>	No notice officially required.	5 minutes for both the question and response (if possible)	Nothing requiring submission of questions in advance, but it is also advertised. There is a specific box to submit	No debate, just a response if possible.	First item on the agenda (bar for Licensing and Planning)	Requests correspondence details are provided.

<sup>1</sup> <https://www.west-lindsey.gov.uk/sites/default/files/2022-02/Public%20Participation%20Committee%20Meetings.pdf>

<sup>2</sup> [https://www.eastcambs.gov.uk/sites/default/files/Leaflet%20-%20Public%20QT%20%28from%20July%202021%29\\_0.pdf](https://www.eastcambs.gov.uk/sites/default/files/Leaflet%20-%20Public%20QT%20%28from%20July%202021%29_0.pdf)

			questions for the meeting.			
Derbyshire Dales District Council <sup>3</sup>	Yes, notice required – question putting follows in same paragraph.	Limit to 3 minutes for each statement	Notice has to be given by email, telephone, or in writing to Democratic Services, no later than midday on the working day prior to the date of meeting.	Nothing explicitly stating about a right of response, nor any debate after the question.	Third on the agenda; After apologies and approval of minutes.	At any one meeting, no person may submit more than 3 questions and no more than 1 such question may be asked on behalf of one organisation.
South Derbyshire District Council <sup>4</sup>	Yes, notice required.	Maximum of 3 minutes to deliver each question. Time limit of 30 minutes for questions	In writing or by email no later than midday 2 days before the meeting day – must have name and address, and name of Member who the question is to be put to.	Can ask a supplementary, but must arise directly from the original question or the reply. This has a maximum of 2 minutes to ask. Unless Chairman decides, there is no discussion. Motion can be put to refer to the appropriate committee or sub-committee.	Usually Item 4 of the agenda: After apologies, minutes, and declarations of interest.	Each question is put in an open book for public inspection, and circulated to all Members. Substantially very similar rules between Full Council and Committees.
Torrige District Council <sup>5</sup>	No notice officially required.	3 minutes maximum to speak per person, 15 minutes overall	Nothing requiring submission of questions in advance, but if the speaker is unable to attend the meeting, they can request that their statement is	No right of response, questions asked under scheme are to receive a response 14 working days of the meeting	At the start of each meeting.	Explicitly states about no protection from legal proceedings for defamation.

<sup>3</sup> Procedure Rule 14.4 - <https://democracy.derbyshiredales.gov.uk/documents/s2377/Part%204%20-%20Rules%20of%20Procedure.pdf>

<sup>4</sup> Document 22, p. 5-6 of Council Procedural Rules, South Derbyshire District Council (<https://southderbyshire.cmis.uk.com/southderbyshire/Documents/PublicDocuments.aspx>)

<sup>5</sup> P.230 – Part 5, Chapter 4 - <https://democracy.torrige.gov.uk/documents/s22683/Constitution2022.pdf>

			read aloud by the Chair of the meeting (at their discretion).			
Tandridge District Council <sup>6</sup>	Yes – notice and submission required.	10 minutes overall, with no individual limit on each question	Must be received by 5 pm on the second working day prior to the day of the meeting	Chair may request answer be given by another Administration Member or an Officer. Chair will ask questioner if response answers, or if they want to ask a supplementary.	Dealt with at the beginning of the relevant meeting.	Question is emailed out to all Members; Very similar rules between council and committee meetings.
Epsom and Ewell Borough Council <sup>7</sup>	Yes – notice and	Up to 30 minutes set aside for written or oral questions, no individual time limit. Written questions first, then oral questions.	Written questions must be submitted in either hard copy or email (with contact and qualification details) by 12 noon on the tenth working day before the meeting day.	Up to Chair whether to give an answer, decline to give one, or provide a written reply. Chair may invite other Members of the relevant body to contribute or refer to a publication where the answer or further details may be found. Suggests that if available, can ask one supplementary question.	First item, right at the beginning of the meeting.	Questions must be someone who qualified i.e. works, lives, attends an school/educational establishment, land owner/leaser, and may not include matters listed on a committee agenda.
Gosport Borough Council <sup>8</sup>	No notice officially required.	A total of fifteen minutes should be	Two working days' notice; not later than noon on the second	Questions shall be answered orally by the Chairman or	Fourth item of the meeting; After	There are also deputations allowed, which have a

<sup>6</sup> Standing Order No. 30, p. 24-25 <https://tandridge.moderngov.co.uk/documents/s7883/Constitution%20October%202022.pdf>

<sup>7</sup> CPR 1 (p.35) <https://democracy.epsom-ewell.gov.uk/documents/s23991/Part%204%20-%20Rules%20of%20Procedure.pdf>

<sup>8</sup> Standing Order 3.5, Part 4, Schedule 11 of the Constitution (Available via here: <https://www.gosport.gov.uk/constitution>)

		allowed for questions.	working day preceding the relevant meeting.	their nominee. If questions remain unanswered by the end of the 15 minutes, a written response shall be sent as soon as possible.	apologies, minutes, deputations, and then public questions	maximum of 5 minutes, have to relate to the matter before the meeting, and can use visual aids. These are third on the agenda.
Wirral Council <sup>9</sup>	Yes – notice required.	Two minutes are allowed for putting the question.	No later than midday 3 working days before the day of the meeting	Every question shall be put and answered without discussion. The answer may be a direct oral answer (and a subsequent 2+2 minutes to answer and then a supplementary question and answer).	Dealt with as fourth item on agenda; After apologies, declarations of interest, and minutes.	Open public of recorded questions. Very similar rules between council and committee meetings.
Sheffield City Council <sup>10</sup>	No notice required.	Maximum of three minutes, a period of up to thirty minutes.	Nothing explicitly for any registration. Chair may decide that the questions is irrelevant, repetitious, defamatory, frivolous or offensive.	Nothing stated allowing or prohibiting questions being discussed.	Sixth item on the agenda; After Welcome, apologies, discussion of whether/where to exclude press/public, declarations of interest, and then minutes.	Has recently moved to a Committee Governance system from a leader/cabinet model.

<sup>9</sup> <https://democracy.wirral.gov.uk/documents/s50090412/Part%204%201%20Standing%20Orders.pdf>

<sup>10</sup> <https://democracy.sheffield.gov.uk/documents/s54133/Part%204A%20-%20Council%20Procedure%20Rules%20July%202022.pdf>

## **Discussion and Suggestions**

In this Officer's opinion, there is scope for some clarification and facilitation of both encouraging speaking, but also allowing the best possible response, which is from the Officer, with time to prepare. Though some local authorities have similar arrangements in place, quite a few have very similar rules to those implemented for full council meeting, which include pre-registration before the meeting, and explicitly no debate to be held.

We stand a bit off without a pre-registration. Similar councils to us (Tandridge, South Derbyshire, and Derbyshire Dales) have the prerequisite of registration, as falls in line with our requirement for full council meetings. Our time allotted is certainly the normal practice for other local authorities, as does the placement of it on the agenda, i.e. that it is at the beginning of the meeting, or close to the start. The right of response/follow up is a mixed picture with these councils reviewed. There is certainly different practices, but for a few, there is certainly nothing in their constitutions allowing/prohibiting the right of response. From a quick review of these constitutions, and standing orders, there is certainly a pattern of having the similar rules for Committees as Full Council. This makes it easier to communicate to the general public the main rules, and allows for those with different rules, i.e. Planning Committee, to stand out.

Adjacent to the main point of this mini-review, I think a brief provision within the constitution that the usual public participation rules for Planning Committee do not apply for any application to be considered by that meeting of the Committee. This would better clarify that for most speakers, the rules for the Planning Committee are the ones to follow. For example, 10.11 of Part 4, Section 1 of the Wirral Council's constitution explicitly has a different scheme.