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# Carlisle City Council

## INTERNAL MEMORANDUM

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From:	Director of Legal and Democratic Services	Please ask for:	Ian Dixon
		Extension:	7033
To:	Director of People, Policy and Performance	E-mail:	lanD@carlisle.gov.uk
		Your ref:	
Fao:	Becky Tibbs– Scrutiny Officer	Our ref:	IJD/MH
			31 January 2008

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### RE: PUBLIC PARTICIPATION IN COUNCIL MEETINGS

Further to our discussion of 31 January regarding Public Participation in Council Meetings and in particular the outstanding item of business relating to Open Questions at meetings. You may recall that this item arose at the Infrastructure Overview Committee of 19 April 2007 when I attended the meeting to respond to enquiries which the Committee had made with regard to correspondence relating to Representations at Council meetings.

At the meeting the Scrutiny Officer presented the Committee with two examples of Public Participation Schemes which were submitted as items of best practice. One from the Cotswold District Council and the second from Bath and North East Somerset District Council. These Schemes both offered the opportunity for members of the public to ask questions at Council meetings with a shorter notice period than the notice period presently operated by the City Council.

Following the meeting I wrote to the Head of Democratic Services at both Cotswold District Council and Bath and North East Somerset District Council to ask for further information regarding the performance of their Schemes. In particular:

the number of questions raised by members of the public via the Public Participation Scheme over the last two years;

if the Council had reduced the period of notice for questions whether the number of questions had fallen or risen since that time;



whether the questions had been able to be fully answered at the meeting;

whether the responder to the questions had been able to provide full details/answers;

whether the process was being used as an alternative to members of the public seeking help/answers from their local Councillor.

Following a number of reminders including reminders by e-mail I received a response from the Bath and North East Somerset Council on 10 August. That response indicates that Bath and North East Somerset Council has had over 400 questions or statements made via members of the public over that 2 year period. The reply also state that most of that figure is made up of statements made rather than questions asked which was not really the matter raised by the Overview and Scrutiny Committee or a question that was asked in my letter. I have also noted that this figure includes statements to Development Control and Licensing Committees by members of the public. I would imagine that if a count was taken of the Rights to Speak Scheme at Development Control and public representations at Licensing Committees then the figures for Carlisle would not be too dissimilar. However Carlisle's figures are weighted massively in terms of statements made at those Regulatory Committees. It is however not clear from the letter from Bath and North East Somerset Council as to whether the numbers of questions/statements submitted have been affected by virtue of the reduced period of notice which they operate. I have attached a copy of the response.

Despite a number of attempts I have not been able to gain any response from the Cotswolds District Council.

In my experience of dealing with members of the public who wish to ask questions at Council meetings and Committees the period of notice which is required under the Council's Procedure Rules has never been raised as an issue and I remain to be convinced that reducing the current period of notice to a shorter period would affect the number of questions asked by the public at meetings of the Council and Committees. Similarly the time restraints/objection periods for submission of statements to any of the Council's Regulatory Panels (Licensing and Development Control) have not been raised as an issue in submitting comments.

I hope that you will find the above helpful.

Director of Legal and Democratic Services



## BATH & NORTH EAST SOMERSET

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Your ref: Mr Dixon  
Our ref:  
Date: 10<sup>th</sup> August 2007  
E-mail:

Mr J M Egan LLB  
Director of Legal and Democratic Services  
Civic Centre,  
Carlisle,  
CA3 8QG

Dear Mr Egan

### **Public Representations at Council, Cabinet, Committee and Overview and Scrutiny Panel Meetings**

Thank you for your enquiry about the Council's scheme for enabling the public to make representations at our meetings. I apologise for the delay in responding owing to pressure of other work. I will answer your questions in the order you have asked them.

1. We have had over 400 questions asked or statements made by members of the public in this way over the last two years at our Full Council, Cabinet, Regulatory Committee and Overview and Scrutiny Panel meetings. Without doing a detailed breakdown it is not possible to differentiate between the numbers of questions versus statements although the statements outnumber the questions. This is particularly the case at Full Council and in the regulatory committees such as Development Control and Licensing where questions are rare but statements are frequent. Statements are generally noted without further response as they are normally about issues arising at the meeting or of more general concern. Questions are answered in writing at the Full Council and the Cabinet meetings under the name of the relevant Cabinet Member based on answers drafted by the officers for their prior approval. These answers are circulated to everyone present at the meeting. At regulatory committees there are few questions and these are generally answered orally and briefly by the Committee Chairman having regard to the need for circumspection in terms of natural justice in dealing with applicants for permissions or licenses etc. Our

overview and scrutiny panel meetings are less formal than our committee meetings and the Panel Chair usually regulates the discussion involving the public and answers any questions during that process.

2. We have not reduced the period of notice for public questions within this period.
3. Generally the questioners have been able to be fully answered at the meeting and the responders to the question have been able to provide sufficient details/answers. The exceptions are where the question is unusually complex and in those cases then our Constitution requires a written response to be sent within 5 working days or, in a few cases, where it is going to take longer to respond then the member of the public is advised accordingly. The latter has been a rare occurrence in my experience.
4. On your question as to whether the process is being used by residents as an alternative to seeking help/answers from local Councillors I can only comment that this is a matter of individual judgement as it is difficult to speculate how else the questioners would have gone about obtaining their answers if this route had not been open to them. My perception is that it is not used so much as a alternative route for getting answers on Ward issues but more often, especially through the statements submitted, it is a means of raising awareness of local concerns or lobbying the Council for or against a particular course of action. A number of local organisations and some individual members of the public who are familiar with the process regularly use it to assist them in raising the profile of what they consider to be key local issues or concerns of regional or sub-regional significance and getting on the record a response from the Council.

I hope this information is helpful to you.

With very best wishes,

Yours sincerely

Tom Dunne  
Democratic Services Manager (Council and Member Services)