



**Committee:** COUNCIL BUSINESS COMMITTEE

**Date:** THURSDAY, 8 NOVEMBER 2012

**Venue:** MORECAMBE TOWN HALL

**Time:** 6.00 P.M.

## A G E N D A

1. **Apologies for Absence**

2. **Minutes**

Minutes of meeting held on Thursday 13<sup>th</sup> September 2012 (previously circulated).

3. **Items of Urgent Business Authorised by the Chairman**

4. **Declarations of Interest**

To receive declarations by members of interests in respect of items on this agenda.

Members are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 10 and in the interests of clarity and transparency, members should declare any disclosable pecuniary interests which they have already declared in the register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, members are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

5. **Committee Timetable 2013/14 (Pages 1 - 5)**

Report of the Head of Governance.

6. **Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (Pages 6 - 18)**

Report of the Monitoring Officer.

7. **Review of Parliamentary Constituencies – Boundary Commission Consultation on Revised Proposals (Pages 19 - 25)**

Report of the Head of Governance.

8. **Constitution – Supplementary Questions from Members at Council Meetings** (Pages 26 - 30)

Report of the Democratic Services Manager.

9. **Constitution – Issues of Urgency and Procedures for Urgent Business, Call-in and Waiver of Call-In** (Pages 31 - 38)

Referral from the Budget and Performance Panel.

10. **Constitution – Public Speaking at Council Meetings** (Pages 39 - 44)

Report of the Democratic Services Manager.

11. **Appointments to Committees and Changes to Membership**

#### **ADMINISTRATIVE ARRANGEMENTS**

**(i) Membership**

Councillors Richard Newman-Thompson (Chairman), June Ashworth, Melanie Forrest, Janet Hall, Roger Mace, Vikki Price and Sylvia Rogerson

**(ii) Substitute Membership**

Councillors Tony Anderson (Substitute), Tim Hamilton-Cox (Substitute), Geoff Knight (Substitute), Jane Parkinson (Substitute), Ian Pattison (Substitute) and Emma Smith (Substitute)

**(iii) Queries regarding this Agenda**

Please contact Peter Baines, Democratic Services - 01524 582074, or email [pbaines@lancaster.gov.uk](mailto:pbaines@lancaster.gov.uk).

**(iv) Changes to Membership, substitutions or apologies**

Please contact Members' Secretary, telephone 582170, or alternatively email [memberservices@lancaster.gov.uk](mailto:memberservices@lancaster.gov.uk).

MARK CULLINAN,  
CHIEF EXECUTIVE,  
TOWN HALL,  
DALTON SQUARE,  
LANCASTER LA1 1PJ

Published on Tuesday 30<sup>th</sup> October 2012.

**COUNCIL BUSINESS COMMITTEE****Committee Timetable 2013/14  
8<sup>th</sup> November 2012****Report of Head of Governance****PURPOSE OF REPORT**

To approve the timetable of meetings for the 2013/14 municipal year

**This report is public**

**RECOMMENDATION OF THE HEAD OF GOVERNANCE:****That the Committee**

- a) **considers whether the next Special Council meeting should be held in October 2013 or 2014**
- b) **agrees and approves the meetings timetable and meeting times for the 2013/14 municipal year**

**1.0 Introduction**

- 1.1 Council Business Committee has delegated authority to agree the annual timetable of Lancaster City Council meetings. The appended timetable is based on the schedule of meetings held in 2012/13 when, at the request of this Committee, the start times of scheduled Personnel Committee and Standards Committee were changed to 6pm. It should be noted, however, that where these committees hold hearings in respect of individual cases, which are likely to last for a half day or more, and require the attendance of witnesses and others, such hearings are held during the day as a 6.00pm start is not practical.
- 1.2 Members may wish to consider whether to maintain the timetable as amended, or revert to the traditional starting times of those committees of 4:30pm and 10:00am respectively.
- 1.3 A Special Council meeting has been included in the draft timetable on 16 October 2013. However, on 11 November 2010, this committee expressed the view that Special Council meetings should be timetabled for alternate years only. Prior to this point, Special Council meetings had been an annual event each October. If that view still holds, the next Special Council meeting would be held in October 2014, and members' views are sought on this issue.
- 1.4 The presence of the May Day bank holiday on Monday 6<sup>th</sup> May 2013 has caused a Planning and Highways Committee meeting to be moved to Tuesday 7<sup>th</sup> May 2013, with the corresponding site visit on Monday 29<sup>th</sup> April. That

aside, there are no further peculiarities to observe.

1.5 Members may wish to note that elections to Lancashire County Council will take place on Thursday 2<sup>nd</sup> May 2013, whilst elections to the European Parliament will take place on a currently undetermined date in June 2014.

1.6 The current start times and location details for all committees is given at Appendix A to this report. The full schedule is shown at Appendix B.

## **2.0 Training And Development**

2.1 It should be noted that the times of training and development events for members has recently been changed to accommodate requests for evening sessions and a cheaper car parking rate. As such, all events now start at 6:10pm, unless they are too long for an evening session. Lengthy sessions will still be held during the day, with as much notice given as practical in the circumstances.

## **3.0 Conclusion**

3.1 Members are asked to approve the draft meetings timetable for the 2013/14 municipal year, or to refer any substantive recommendations for change to Council.

<b>CONCLUSION OF IMPACT ASSESSMENT</b> (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)
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None.

<b>LEGAL IMPLICATIONS</b>
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There are no legal implications.

<b>FINANCIAL IMPLICATIONS</b>
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Starting meetings at 6pm would carry some financial implications but it is expected that these would be minimal, e.g. heating and lighting the meeting rooms and staffing the building outside office hours, but only if the meetings continued beyond 7.30 pm.

If Members wished to have food provided before the start of evening meetings, this would be an additional cost, however this is not currently provided for other 6pm meetings.

<b>OTHER RESOURCE IMPLICATIONS</b>
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**Human Resources:**

None.

**Information Services:**

None.

**Property:**

None.

**Open Spaces:**

None.

**SECTION 151 OFFICER'S COMMENTS**

The Section 151 Officer has been consulted and has no further comments.

**MONITORING OFFICER'S COMMENTS**

The Monitoring Officer has been consulted and has no further comments.

**BACKGROUND PAPERS**

None.

**Contact Officer:** Peter Baines

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**E-mail:** [pbaines@lancaster.gov.uk](mailto:pbaines@lancaster.gov.uk)

**Meeting Start times/venues 2012/13**

(LTH = Lancaster Town Hall and MTH = Morecambe Town Hall).

Annual Council (ceremonial)	Ashton Hall, LTH	12pm
Annual Council (business)	MTH	6pm
Audit Committee	MTH	6pm
Budget and Performance	LTH	6pm
Council	MTH	2pm
Council Business Committee	MTH	6pm
Cabinet	Alternating LTH, MTH	10am
JCC	LTH	2pm
Licensing Regulatory Committee	LTH	1pm
Licensing Act Committee	LTH	2pm
Overview and Scrutiny	MTH	6pm
Planning & Highways Regulatory	LTH	10.30am
Personnel Committee	LTH	6pm
Standards Committee	LTH	6pm

The Appeals Committee is convened as and when necessary at LTH with no set day or time.

DRAFT MEETINGS TIMETABLE 2013/2014

2014

2013

	May	June	July	August	September	October	November	December	January	February	March	April	May
Mon			1										
Tue			2		1							1	
Wed	1		3		2				1 Bank Holiday			2	
Thur	2 ELECTIONS		4 Member Briefing	1	3 Member Briefing				2			3 Member Briefing	1 Council Business Committee
Fri	3		5	2	4		1		3			4	2
Sat	4		6	3	5		2		4			6	3
Sun	5		7	4	6		3		5			7	4
Mon	6 Bank Holiday	3	8	5	7 Planning Site Visit	8 Cabinet LTH	4 Planning Site Visit	2 Planning Site Visit	6 Planning	3 Planning	3 Planning	7 Planning	5 Bank Holiday
Tue	7 Planning	4	9 Budget & Performance Panel	6	3 Cabinet MTH	9 Overview and Scrutiny Committee	5 Cabinet MTH	3 Cabinet LTH	7	4 Personnel	4 Budget and Performance Panel	8	6
Wed	8	5 Overview & Scrutiny Committee	10 Overview and Scrutiny Committee	7	4 Overview and Scrutiny Committee	9 Overview and Scrutiny Committee	6 Budget and Performance Panel	4 Overview & Scrutiny Committee	8	5 Council	5 Overview and Scrutiny Committee	9	7
Thur	9	6 Licensing Reg/Member Briefing	11 Licensing Act	8	5 Licensing Reg/Member Briefing	10 Standards	7 Council Business Committee	5 Member Briefing	9 Licensing Reg/Member Briefing	6 Member Briefing	6 Member Briefing	10	8
Fri	10 Annual Council	7	12	9	6	11	8	6	10	7	7	11	9 Annual Council
Sat	11		13	10	7	12	9	7	11	8	8	12	10
Sun	12		14	11	8	13	10	8	12	9	9	13	11
Mon	13 Business Council	10	15 Planning Site Visit	12 Planning Site Visit	9 Planning Site Visit	14 Planning	11 Planning	9 Planning	13	10	10	14	12 Annual Business Council
Tue	14	11 JCC Budget and Perf Panel	16	13	10 Budget and Performance Panel	15 Personnel	12 Licensing Reg	10 Budget and Performance Panel	14	11 Cabinet LTH	11 Cabinet MTH	15 Personnel	13
Wed	15	12 Council	17 Council	14	11 Council	16 Council	13 Council	11 Council	15 JCC	12	12 JCC	16 Council	14
Thur	16	13 Standards	18 Licensing Reg	15	12 JCC/ Council Bus Committee	17 Licensing Reg	14 Member Briefing	12	16 Council Business Committee	13 Licensing Reg	13 Council Business Committee	17	15
Fri	17	14	19	16	13	18	15	13	17	14	14	18 Bank Holiday	16
Sat	18	15	20	17	14	19	16	14	18	15	15	19	17
Sun	19	16	21	18	15	20	17	15	19	16	16	20	18
Mon	20 Planning Site Visit	17 Planning Site Visit	22 Planning	19 Planning	16 Planning	21	18	16	20	17	17	21 Bank Holiday	19
Tue	21	18	23 Cabinet LTH	20	17	22 Budget & Performance Panel	19	17	21 Cabinet MTH	18	18	22 Cabinet LTH	20
Wed	22	19	24	21	18 Audit	23	20	18	22 Audit	19	19	23 Audit	21
Thur	23	20 Licensing Act	25	22	19 Licensing Act	24	21 Licensing Act	19	23 Standards	20	20 Licensing Act	24 Standards	22
Fri	24	21	26	23	20	25	22	20	24	21	21	25	23
Sat	25	22	27	24	21	26	23	21	25	22	22	26	24
Sun	26	23	28	25	22	27	24	22	26	23	23	27	25
Mon	27 Bank Holiday	24 Planning	29	26 Bank Holiday	23	28	25	23	27 Planning Site Visit	24 Planning Site Visit	24 Planning Site Visit	28	26 Bank Holiday
Tue	28 Cabinet LTH	25 Cabinet -MTH Personnel	30	27	24	29	26	24	28 Budget & Performance Panel MTH	25	25 Budget & Performance Panel	29 Budget and Performance Panel	27
Wed	29 Planning	26 Audit	31	28	25	30	27	25 Bank Holiday	29 Overview and Scrutiny Committee	26 Budget Council	26	30 Overview and Scrutiny Committee	28
Thur	30	27 Council Bus Com		29	26	31	28	26 Bank Holiday	30 Licensing Act	27	27 Licensing Reg	29	
Fri	31	28		30	27		29	27	31	28	28	30	
Sat		29		31	28		30	28			28	31	
Sun		30			29			29			30		
Mon					30			30 Planning Site Visit			31		
Tue								31					

**COUNCIL BUSINESS COMMITTEE****Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012****8 November 2012****Report of the Monitoring Officer****PURPOSE OF REPORT**

To inform the Committee of recent Meetings Regulations which impact upon the Council's Procedure Rules and to seek approval for the necessary changes to the Council's Constitution.

**This report is public**

**RECOMMENDATION**

- (1) That the Committee notes the requirements of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 and approves the necessary changes to Part 4, Section 2 of the Council's Constitution, shown at Appendix A and agrees that consequential textual changes, as set out in Paragraph 3.9 of this report be made by the Monitoring Officer.

**1.0 Introduction**

- 1.1 New regulations, the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, came into force on 10 September 2012. These impact on several issues and changes will be required to the Council's Constitution to comply with the new requirements. This report explains the changes that the regulations make to the decision making procedures and to access to information.

**3.0 Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012**

- 3.1 This new set of regulations make changes to the statutory access to information requirements which apply to the executive arrangements of local authorities in England.
- 3.2 The regulations have removed the need for an authority to produce a "Forward Plan" and introduced new notice requirements for key decisions instead. These relate only to decisions made by the whole Cabinet, Cabinet committees, and joint committees of Executive Members with responsibility to discharge executive



functions, and officer delegated key decisions.

- 3.3 In summary, the key points from the Regulations are:-
- At least 28 days notice must be given of a Cabinet meeting (or part of a meeting) to be 'held in private' (ie to discuss exempt or confidential information). The notice must be published and must give the reasons for the meeting, or part of the meeting, to be held in private.
  - At least 5 clear days before the meeting the decision-making body must publish another notice, giving details of any representations received asking for the item to be discussed in public and the response of the decision-making body to any representations.
  - At least 28 days before taking any key decision, a forthcoming key decision notice must be published. This should include details of the decision to be made, the decision maker's name or title or, if a body, its name and full membership; the date the decision is to be made, the documents to be submitted to the decision-maker for consideration and details of how to obtain copies.
  - Background papers to reports must now be published on the Council's website and copies made available at Council Offices.
- 3.3 The regulations include urgency provisions for holding meetings in private and for taking key decisions without the required 28 days notice and these are detailed in 3.4 and 3.5 below.
- 3.4 A meeting or part of a meeting can be held in private without giving 28 days notice provided the Chairman of the O&S Committee agrees that the meeting is urgent and cannot reasonably be deferred. If the Chairman of O&S is not available, the Mayor may give consent. If the Mayor is not available, the Deputy Mayor may give consent. A notice must then be published setting out the reasons why the meeting is urgent and that the Chairman of O&S has given agreement to hold the meeting (or part) in private.
- 3.5 A key decision can still be taken without the required 28 days notice if the Chairman of O&S has been informed of the decision to be taken or, in their absence, if every Member of the O&S Committee has been informed and 5 clear days have elapsed after publication of a forthcoming key decision notice. If a matter is so urgent that it needs to be taken immediately, the key decision can be taken if the Chairman of O&S gives consent. In the absence of the Chairman of O&S, the Mayor can give consent. In the absence of the Mayor, the Deputy Mayor.
- 3.6 The new regulations also set out the rights of Overview and Scrutiny Members to access material relating to past Cabinet decisions within 10 days of making the request. If Cabinet determines that material should not be supplied it must set out its reasons in writing for that decision.
- 3.7 Regulation 13 concerns the recording of executive decisions made by individuals and states that as soon as reasonably practicable after an officer has made a decision which is an executive decision, the officer must produce and publish a written statement of the decision and any alternative options considered and rejected when making the decision. At the time of drafting this report, it is not clear

what level or type of decision this regulation should apply to. The Department for Communities and Local Government recently said that the regulations do not apply to officer decisions at all, so further clarification is awaited.

3.8 In the light of the new Regulations, Part 4, Section 2 of Constitution, the Access to information Procedure Rules, have been re-drafted and are attached for consideration at Appendix A. The re-drafting does not incorporate any rules regarding access to information about officer decisions because the position is so unclear at this stage.

3.9 It will be necessary for the Monitoring Officer to make several other minor textual changes to parts of the Constitution, including the Urgent Business Procedure Rules which are referred to elsewhere in this agenda, in line with the new Regulations. Replacing references to the Forward Plan with the words 'Key Decision Notices', for example.

**4.0 Conclusion**

4.1 Since the introduction of the new Regulations, Democratic Services have made every effort to comply with the requirements.

4.2 However, the Constitution must reflect the new requirements too, since to comply with the Regulations without changing the Constitution might leave the Council open to legal challenge. The Committee is therefore requested by the Monitoring Officer to approve the necessary changes.

<p><b>RELATIONSHIP TO POLICY FRAMEWORK</b></p> <p>None.</p>
<p><b>CONCLUSION OF IMPACT ASSESSMENT (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)</b></p> <p>None.</p>
<p><b>LEGAL IMPLICATIONS</b></p> <p>The changes to the Access to Information Procedure Rules in the Constitution are necessary to comply with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.</p>
<p><b>FINANCIAL IMPLICATIONS</b></p> <p>There are no significant financial implications as a result of this report.</p>
<p><b>OTHER RESOURCE IMPLICATIONS</b></p> <p><b>Human Resources:</b></p> <p>None.</p> <p><b>Information Services:</b></p>

None.

**Property:**

None.

**Open Spaces:**

None.

**SECTION 151 OFFICER'S COMMENTS**

The Section 151 Officer has been consulted and has no further comments.

**MONITORING OFFICER'S COMMENTS**

The Monitoring Officer has been involved in the preparation of this report, and has no further comments.

**BACKGROUND PAPERS**

Constitution Part 4, Procedure Rules.

Local Authorities (Executive Arrangements)  
(Meetings and Access to Information)  
(England) Regulations 2012.

The Transparency Conundrum, Municipal  
Journal 20.09.12.

**Contact Officer:** Debbie Chambers

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**Ref:**

## Part 4, Section 2

### Access to Information Procedure Rules

#### 1. SCOPE

With the exception of Rules 10.01 and 10.02, Rules 1 to 11 apply to all meetings of Council and its Committees, Cabinet and its Committees, Overview and Scrutiny meetings (including formally constituted Task Groups) and Area Forums. Rules 10.1 and 10.2 apply to all meetings of the Cabinet and its committees.

#### 2. ADDITIONAL RIGHTS TO INFORMATION

These rules do not affect any more specific rights to information contained elsewhere in the Constitution or the law.

#### 3. RIGHTS TO ATTEND MEETINGS

Members of the public may attend all meetings subject only to the exceptions in these rules.

#### 4. NOTICES OF MEETING

The Council will give at least five clear days notice of any meeting by posting details of the meeting at Lancaster Town Hall and Morecambe Town Hall.

#### 5. ACCESS TO AGENDA AND REPORTS BEFORE THE MEETING

The Council will publish copies of the agenda and reports open to the public on its website and make them available for inspection at Lancaster and Morecambe Town Halls at least five clear days before the meeting. If an item is added to the agenda later, the revised agenda will be published and open to inspection from the time when the item was added to the agenda. Where reports are prepared after the summons has been sent out, the Head of Governance shall make each such report available to the public as soon as the report is completed and sent to councillors.

#### 6. SUPPLY OF COPIES

The Council will supply copies of:

- (a) any agenda, reports and background papers which are open to public inspection;
- (b) any further statements or particulars necessary to indicate the nature of the items in the agenda; and
- (c) if the Proper Officer thinks fit, copies of any other documents supplied to councillors in connection with an item

to any person on payment of a charge for postage and any other costs.

#### 7. ACCESS TO MINUTES ETC AFTER THE MEETING

The Council will make available copies of the following for six years after a meeting:

- (a) the minutes of the meeting or records of decisions taken, for all meetings of the Council, excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information;
- (b) a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;
- (c) the agenda for the meeting; and
- (d) reports relating to items when the meeting was open to the public.

**8. BACKGROUND PAPERS**

**8.01 List of Background Papers**

Every report will include a list of those documents (called background papers) relating to the subject matter of the report which in the opinion of the writer of the report:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) which have been relied on to a material extent in preparing the report

but does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and, in respect of Cabinet reports, the advice of a political advisor.

**8.02 Public Inspection of background papers**

Background papers will remain available for public inspection for four years after the date of the meeting. Background papers for meetings of the Cabinet and its committees will be published on the Council's website when the agenda is published and copies will be made available at Lancaster Town Hall and Morecambe Town Hall.

**9. SUMMARY OF THE PUBLIC'S RIGHTS**

A written summary of the public's rights to attend meetings and to inspect and copy documents will be kept at and available to the public at Lancaster Town Hall and Morecambe Town Hall.

**10. EXCLUSION OF ACCESS BY THE PUBLIC TO MEETINGS**

**10.01 Notice of Private Meetings of the Executive**

When the public are to be excluded from a meeting, or part of a meeting of the Cabinet or its committees a notice of intention to hold a meeting in private will be published on the Council's website at least 28 clear days before the date of the private meeting. The notice will also be made available at Lancaster and Morecambe Town Halls.

The notice will state the reasons why the meeting is to be held in private and how to make representations about holding the meeting in public.

At least five days before the meeting a further notice will be published of the intention to hold a private meeting. This notice will include a statement of the reasons why the meeting is to be

held in private, details of any representations made about holding the meeting in public, and the response to those representations.

**10.02 Urgent Private Meetings of the Executive**

If the urgency of a decision makes compliance with rule 10.01 impracticable, the decision maker or decision making body will seek agreement from the Chairman of the Overview and Scrutiny Committee that the meeting is urgent and cannot reasonably be deferred. In the absence of the Chairman of the Overview and Scrutiny Committee, the Mayor shall be asked for their agreement and, in their absence, the Deputy Mayor. If agreement is granted, a notice will be published on the Council's website and made available at the two Town Halls setting out why the meeting is urgent and cannot reasonably be deferred.

**10.03 Confidential Information – requirement to exclude public**

Subject to Rules 10.01 and 10.02 above, the public must be excluded from meetings whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that confidential information would be disclosed.

**10.04 Exempt Information – discretion to exclude public**

Subject to Rules 10.01 and 10.02 above, the public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed.

In determining whether information is to be treated as exempt, Members will consider the extent to which, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Convention for the Protection of Human Rights establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

**10.05 Meaning of confidential information**

Confidential information means information given to the Council by a Government Department on terms which forbid its public disclosure, and information the public disclosure of which is prohibited by Court Order, or by virtue of any enactment.

**10.06 Meaning of exempt information**

Exempt information means information falling within the following categories.

Category	Qualification
1. Information relating to any individual	<p>Information is not exempt information unless it relates to an individual of that description in the capacity indicated by the description, i.e. it must relate to and be recognisable as referring to a particular living individual in the roles indicated.</p> <p>Information is only exempt:</p> <ul style="list-style-type: none"> <li>(a) Where disclosure is prohibited by statute, or</li> <li>(b) Where disclosure might involve providing personal information about individuals, or</li> <li>(c) Where disclosure might breach a duty of confidentiality, and</li> <li>(d) In all the circumstances of the case, the public interest in not disclosing the information outweighs the public interest in disclosing it.</li> </ul>
2. Information which is likely to reveal the identity of an individual	<p>Information is not exempt information unless it relates to an individual of that description in the capacity indicated by the description, i.e. it must relate to and be recognisable as referring to a particular living individual in the roles indicated.</p> <p>Information is only exempt:</p> <ul style="list-style-type: none"> <li>(a) Where disclosure is prohibited by statute, or</li> <li>(b) Where disclosure might involve providing personal information about individuals, or</li> <li>(c) Where disclosure might breach a duty of confidentiality, and</li> <li>(d) In all the circumstances of the case, the public interest in not disclosing the information outweighs the public interest in disclosing it.</li> </ul>

Category	Qualification
<p>3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)</p> <p><i>(‘Financial or business affairs’ includes contemplated, as well as past or current, activities)</i></p> <p><i>This category will include commercial and contractual interests)</i></p>	<p>Information is not exempt if it is required to be registered by law under:</p> <ul style="list-style-type: none"> <li>• The Companies Act 1985</li> <li>• The Friendly Societies Act 1974</li> <li>• The Friendly Societies Act 1992</li> <li>• The Industrial and Provident Societies Acts 1965 to 1978</li> <li>• The Building Societies Act 1986 (recorded in the public file of any building society, within the meaning of the Act)</li> <li>• The Charities Act 1993</li> </ul> <p>Information is only exempt if and for so long as:</p> <ol style="list-style-type: none"> <li>(a) Disclosure of the amount involved would be likely to give advantage to a person entering into or seeking to enter into a contract with the Council in respect of property, goods, services whether the advantage would arise as against the Council or as against other persons, or</li> <li>(b) Disclosure would prejudice the efficiency and effectiveness of the use of Council resources, or</li> <li>(c) Disclosure of trade secrets and other information would or would likely prejudice the commercial interests of any person, including the Council, and</li> <li>(d) In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</li> </ol>
<p>4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under the authority.</p> <p><i>(‘Labour relations matters’ are as specified in paragraphs (a) to (g) of Section 29(1) of the Trade Unions and Labour Relations Act 1974, i.e. matters which may be the subject of a trade dispute)</i></p>	<p>Information is only exempt if and for so long as its disclosure to the public:</p> <ol style="list-style-type: none"> <li>(a) Would prejudice the Council in those or any other consultations or negotiations in connection with a labour relations matter; and</li> <li>(b) In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</li> </ol>



Category	Qualification
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings	<p>Information is only exempt:</p> <p>(a) Where a claim of legal professional privilege could be maintained in legal proceedings, e.g. correspondence such as legal advice and assistance between the Council's Legal Services and its client; and</p> <p>(b) In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>
<p>6. Information which reveals that the authority proposes:</p> <p>(a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person, or</p> <p>(b) To make an order or direction under any enactment</p>	<p>Information is exempt only if and so long as:</p> <p>(a) Disclosure to the public might afford an opportunity to a person affected by the notice, order or direction to defeat the purpose or one of the purposes for which the notice, order or direction is to be given or made; and</p> <p>(b) In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>
7. Any action to be taken in connection with the prevention, investigation or prosecution of crime.	<p>Information is only exempt if its disclosure would, or would likely to, prejudice:</p> <p>(a) Criminal investigations and proceedings, or</p> <p>(b) The apprehension or prosecution of offenders, or</p> <p>(c) The administration of justice, or</p> <p>(d) The assessment or collection of any tax or duty or of any imposition of a similar nature, or</p> <p>(e) Regulatory enforcement, or</p> <p>(f) Any civil proceedings, or</p> <p>(g) Health and safety, or</p> <p>(h) Information obtained from confidential sources, and</p> <p>(i) In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>

**11. EXCLUSION OF ACCESS BY THE PUBLIC TO REPORTS**

If the Proper Officer thinks fit, the Council may exclude access by the public to reports which in his opinion relate to items during which, in accordance with Rule 10, the meeting is likely not to be open to the public. Such reports will be marked “exempt from publication”, together with the category of information likely to be disclosed.

**12. PROCEDURE BEFORE TAKING KEY DECISIONS**

Subject to Rule 14 (general exception) and Rule 15 (special urgency), a Key Decision may not be taken unless:

- (a) a Notice (called here a Key Decision Notice) has been published in connection with the matter in question at least 28 clear days before the date when the decision is to be taken; and
- (b) where the decision is to be taken at a meeting of the Cabinet or its committees, notice of the meeting has been given in accordance with Rule 7 (notice of and summons to meetings).

**13. KEY DECISION NOTICE**

**13.1 Content of the Key Decision Notice**

A Key Decision Notice will contain details of

- (a) the matter in respect of which a decision is to be made;
- (b) where the decision taker is an individual, his/her name, title, if any and where the decision taker is a body, its name and details of membership;
- (c) the date on which or the period within which the decision will be taken;
- (d) a list of the documents submitted to the decision taker for consideration in relation to the matter and how to obtain copies of such documents
- (e) a statement that other documents may be taken into account by the decision taker and how to obtain copies of any such documents.

**14. GENERAL EXCEPTION – URGENT BUSINESS**

14.01 Subject to Rule 16, where a matter which is a Key Decision requires an urgent decision and the required 28 days notice has not been given , the decision may still be taken if:

- (a) The Chairman of the Overview and Scrutiny Committee, or, if there is no such person, each member of the Overview and Scrutiny Committee, has been informed by notice in writing of the matter about which the decision is to be made;
- (b) a Key Decision Notice has been published and made available for inspection by the public; and
- (c) five clear days have elapsed following the day on which the Key Decision Notice was published and made available.

**15. SPECIAL URGENCY**

If by virtue of the date by which a decision must be taken Rule 14 (general exception) cannot be followed, then the decision can only be taken if the decision taker (if an individual) or the Chairman of the body making the decision, obtains the agreement of the Chairman of the Overview and Scrutiny Committee that the taking of the decision is urgent and cannot reasonably be deferred. If the Chairman of the Overview and Scrutiny Committee is unable to act, then the agreement of the Mayor will suffice, or, in the absence of the Mayor, the agreement of the Deputy Mayor.

**16. REPORT TO COUNCIL****16.01 Report to Council when the key decision procedure is not followed**

If an executive decision has been made and was not treated as a key decision, and the Overview and Scrutiny Committee is of the opinion that the decision should have been treated as a key decision, the Overview and Scrutiny Committee may require the Cabinet to submit a report to the Council within such reasonable time as the Committee specifies. The report must include details of the decision and the reasons for the decision, the decision maker, and if the Cabinet is of the opinion that the decision was not a key decision, the reasons for that opinion. The power to require a report rests with the Committee, but is also delegated to the Proper Officer, who shall require such a report on behalf of the Committee when so requested by the Chairman or any three members. Alternatively the requirement may be raised by resolution passed at a meeting of the Overview and Scrutiny Committee.

**16.02 Quarterly reports on special urgency decisions**

In any event the leader will submit quarterly reports to the Council on the Cabinet decisions taken in the circumstances set out in Rule 15 (special urgency) in the preceding three months. The report will include the number of decisions so taken and a summary of the matters in respect of which those decisions were taken.

**17. RECORD OF DECISIONS**

After any meeting of the Cabinet or any of its committees, whether held in public or private, the Proper Officer or, where no officer was present, the person presiding at the meeting, will produce a record of every decision taken at that meeting as soon as practicable. The record will include a statement of the reasons for each decision, any alternative options considered and rejected at that meeting and any conflict of interest relating to the matter decided which is declared by any member of the decision-making body which made the decision.

**18. MEETINGS OF THE CABINET AND ITS COMMITTEES RELATING TO MATTERS WHICH ARE NOT KEY DECISIONS**

The Cabinet will meet in public for all its decisions, except for decisions based on those parts of any document that contain exempt or confidential information. In such cases Rules 10.01 and 10.02 will apply.

**19. ADDITIONAL RIGHTS OF ACCESS FOR MEMBERS****19.01 Material relating to business to be transacted at a public meeting of Cabinet**

All members of the Council will be entitled to inspect any document which is in the possession or under the control of the Cabinet or its committees and contains material relating to any

business to be transacted at a public meeting, and any such document must be available for inspection for at least five clear days before the meeting

**19.02 Other Material relating to business transacted**

All members of the Council will be entitled to inspect any document which is in the possession or under the control of Cabinet and contains material relating to any business transacted at a private meeting of Cabinet, or any decision made by an individual Cabinet member or an officer, within 24 hours after the meeting concludes or after the decision has been made.

**19.03 Exceptions**

However, a document is not required to be available for inspection under Rules 19.01 or 19.02 if it contains exempt information as set out in Schedule 12A of the Local Government Act 1972, unless the information falls within paragraph 3 (except to the extent that the information relates to any terms proposed or to be proposed by or to the Council in the course of contract negotiations), or paragraph 6 of Schedule 12A.. Further, a document is not required to be available for inspection if advice provided by a political adviser or assistant would be disclosed.

**19.04 Nature of Rights**

These rights of a member are additional to any other right they may have in statute or at common law.

**20. OVERVIEW AND SCRUTINY'S ACCESS TO DOCUMENTS**

20.01 Within 10 clear days of so requesting, a member of the Overview and Scrutiny Committee (including task groups) or Budget and Performance Panel will be entitled to copies of any document which is in the possession or control of the Cabinet or its committees and which contains material relating to

- (i) any business that has been transacted at a meeting of a decision-making body of the Council
- (ii) any decision that has been made by an individual Cabinet Member in accordance with executive arrangements or
- (iii) any decision that has been made by an officer of the Council in accordance with executive arrangements

except for documents, or parts of documents, which contain

- (a) advice provided by a political adviser or
- (b) exempt or confidential information, unless that information is relevant to
  - (i) an action or decision that the Member is reviewing or scrutinising; or
  - (ii) any review contained in the work programme of the Overview and Scrutiny Committee or Budget and Performance Panel.

Overview and Scrutiny will not be entitled to any document which is in draft form.

Where the Cabinet determines that a member of an Overview and Scrutiny committee is not entitled to a copy of a document or part of a document for a reason set out in (a) or (b) above, it will provide the Overview and Scrutiny Committee with a written statement setting out its reasons for that decision.

**COUNCIL BUSINESS COMMITTEE****Review of Parliamentary Constituencies – Boundary  
Commission Consultation on Revised Proposals****8 November 2012****Report of Head of Governance****PURPOSE OF REPORT**

The Boundary Commission for England is consulting on its revised proposals for new Parliamentary Constituency boundaries. This report informs the Committee of changes which are proposed to both constituencies administered by the City Council and asks Members to agree and approve a response to the Commission's consultation. The response deals specifically with the Council's administrative role in regard to elections.

**This report is public**

**RECOMMENDATIONS OF THE HEAD OF GOVERNANCE**

- (1) That the Committee consider the attached draft response (Appendix A) to the consultation on the revised proposed Parliamentary Constituency boundaries for submission to the Boundary Commission for England, noting that the response focuses only upon the Council's administrative role in Parliamentary elections.

**1.0 Introduction**

- 1.1 The Boundary Commission for England is an independent non-departmental public body which is responsible for reviewing Parliamentary constituency boundaries in England.
- 1.2 The Commission is currently conducting a review on the basis of new rules laid down by Parliament. These rules involve a significant reduction in the number of constituencies in England (from 533 to 502) and require that every constituency, apart from two specified exceptions, must have an electorate that is 5% either side of the electoral quota of 76,641 (this means no smaller than 72,810 and no larger than 80,473).
- 1.3 Members will recall that, late last year, the Commission published proposals for the North West region and this Committee approved a consultation response which was submitted to the Commission in November 2011. Since that date, the Commission has reviewed its proposals in light of the consultation responses and published revised proposals on 16 October 2012.

- 1.4 The Boundary Commission is currently consulting on its revised proposals and the attached response has been drafted to deal with the Council's administrative role in Parliamentary elections. It does not address any other aspects and therefore individual Members or political groups may wish to make their own responses. These can be emailed direct to the Commission at:- [northwest@bcommengland.x.gsi.gov.uk](mailto:northwest@bcommengland.x.gsi.gov.uk)

## **2.0 Background - the current position and the Commission's initial proposals**

- 2.1 The district is currently covered by two constituencies: Morecambe and Lunesdale, comprising 19 wards contained wholly within the area served by Lancaster City Council, and Lancaster and Fleetwood, comprising the remaining 9 wards in the area served by Lancaster City Council, plus eight wards within the area of Wyre Borough Council.
- 2.2 The initial proposals put forward by the Commission last year were to extend the Morecambe and Lunesdale constituency to 20 wards to include the lower Lune Valley ward which is currently part of the Lancaster and Fleetwood constituency. There was a proposal to replace the Lancaster and Fleetwood constituency with a Lancaster constituency which would contain the remaining eight wards in Lancaster district plus ten wards in the Borough of Wyre, two wards in the City of Preston and five wards in the Borough of Ribble Valley. The consultation response approved by this Committee pointed out that the proposal for the new Lancaster constituency would be challenging administratively, as it covered an area served by four different local authorities; Lancaster City Council; Ribble Valley Borough Council, Wyre Borough Council and Preston City Council. The proposals put forward for changes to the Morecambe and Lunesdale boundaries did not pose any particular administrative issues.

## **3.0 The revised proposals**

- 3.1 The proposals for the Morecambe and Lunesdale boundaries still stand, they have not been revised. They are shown at Appendix B. The boundaries of the proposed Lancaster constituency have changed (Appendix C) and the Commission has also revised the name of the proposed constituency to Lancaster and Wyre.
- 3.2 Although the proposals for the Lancaster and Wyre Constituency have been revised, they will be almost as challenging to administer as the initial proposals. The proposed constituency is made up of wards served by three different local authorities, Lancaster City Council (8 wards), Wyre Borough Council (10 wards) and Preston City Council (3 wards). The next parliamentary election is due to be held in 2015, which is also the date when Lancaster City Council and Wyre Borough Council will hold City/Borough and Parish elections and Preston City Council will hold elections for one third of its seats. The draft response makes a suggestion for a Lancaster and Wyre Constituency which would be within the required electoral quota parameters.
- 3.3 The Commission's eight week consultation period on the revised proposals ends on 10 December 2012.

**4.0 Details of Consultation**

4.1 The Elections Manager has been consulted in the preparation of this report, as the officer who would arrange the practical management of elections in the district, in particular, leading on liaison with other local authorities where constituency boundaries extend beyond our own district.

**5.0 Options and Options Analysis**

	<b>Option 1:</b> Agree that the response, as drafted, be sent to the Boundary Commission.	<b>Option 2:</b> Agree that the response, amended to include the Committee's amendments or comments, be sent to the Boundary Commission.	<b>Option 3:</b> Do not agree or send a response to the Boundary Commission.
Advantages	Allows the views of the Council, who administer Parliamentary polls and counts, to be submitted.	As Option 1 and reflecting any further points raised by the Committee.	None identified.
Disadvantages	None identified.	None identified.	Loss of the opportunity to respond to the proposals.

**6.0 Conclusion**

6.1 Members are asked to consider the draft consultation response with a view to approving a final version for submission to the Boundary Commission for England.

<p><b>CONCLUSION OF IMPACT ASSESSMENT</b>                  (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)</p> <p>None.</p>
<p><b>LEGAL IMPLICATIONS</b></p> <p>None directly arising from this report.</p>
<p><b>FINANCIAL IMPLICATIONS</b></p> <p>None directly arising from this report. Any costs relating to a parliamentary election are met by central government.</p>
<p><b>OTHER RESOURCE IMPLICATIONS</b></p> <p>Human Resources:</p>

None.

**Information Services:**

None.

**Property:**

None.

**Open Spaces:**

None.

**SECTION 151 OFFICER'S COMMENTS**

The Section 151 Officer has been consulted and has no further comments.

**MONITORING OFFICER'S COMMENTS**

The Monitoring Officer has been consulted and has no further comments.

**BACKGROUND PAPERS**

Boundary Commission's "Revised Proposals" report, which can be viewed at:-  
[www.consultation.boundarycommissionforengland.independent.gov.uk](http://www.consultation.boundarycommissionforengland.independent.gov.uk)

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**Ref:**



**Lancaster City Council's draft response to the Boundary Commission's consultation on its revised proposals for the Lancashire sub-region.**

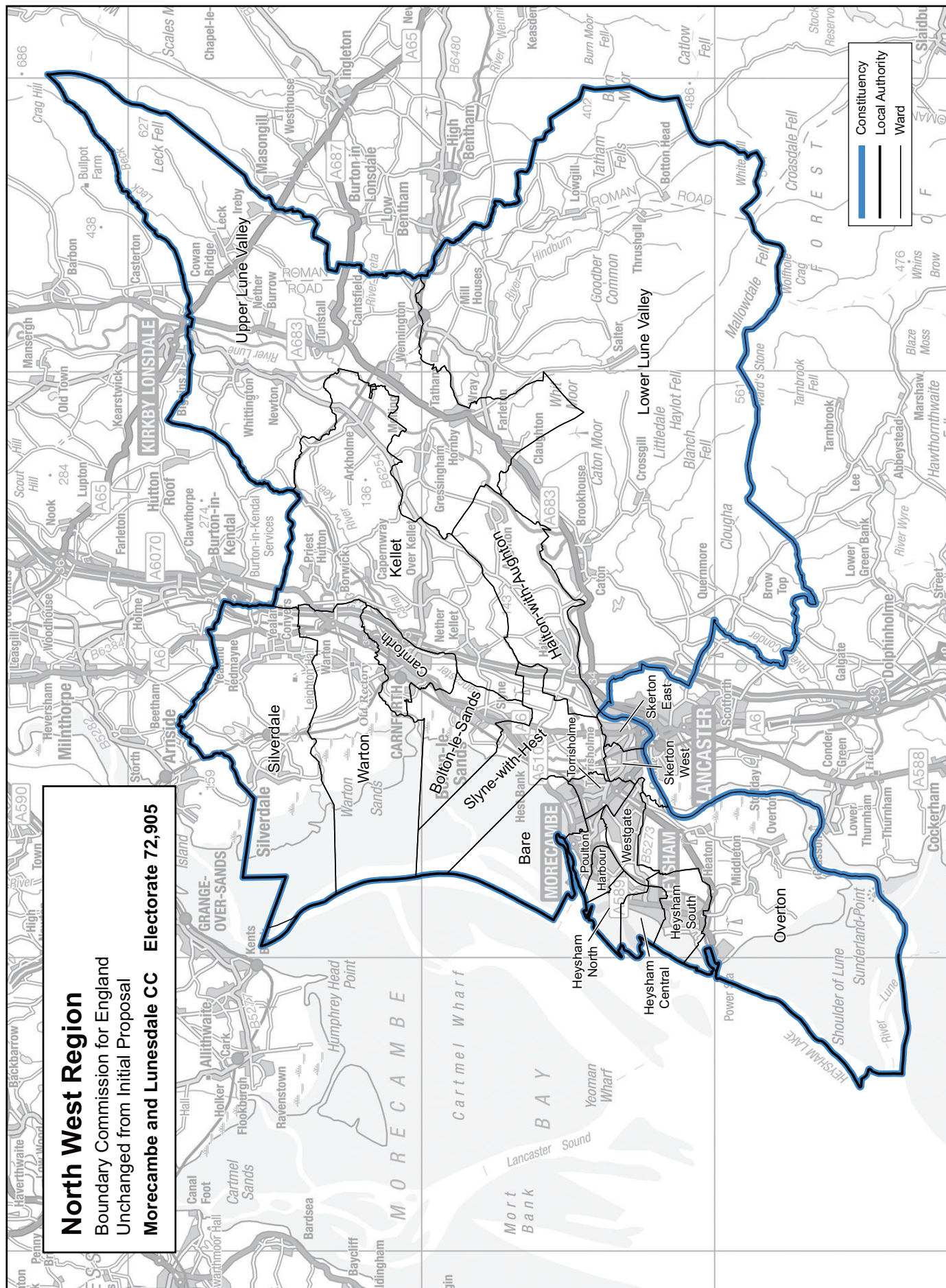
The two constituencies which are administered by the returning officer at Lancaster City Council are Morecambe and Lunesdale and Lancaster and Fleetwood (named Morecambe and Lunesdale County Constituency and Lancaster and Wyre County Constituency in the new proposals). The Council's comments are confined to these two constituencies within the Lancashire sub-region and it has no particular views on the proposals which affect the rest of the North West.

The Council was concerned that the Commission's initial proposals for a new Lancaster County Constituency were spread across communities served by four local authorities. The revised proposals are a slight improvement, in that the area now involves three rather than four local authorities. However, this is still a very complex arrangement for polling and for the counting of votes. The proposed area will mean close liaison between elections officers in Lancaster City Council and two other district councils: Wyre Borough, and Preston City. Therefore planning and managing the voting process and the verification and counting of votes will be extremely complicated. In addition to this, the next Parliamentary election will be held on the date that elections are due for Lancaster City Council and its parishes; Wyre Borough Council and its parishes and for one third of the seats at Preston City Council.

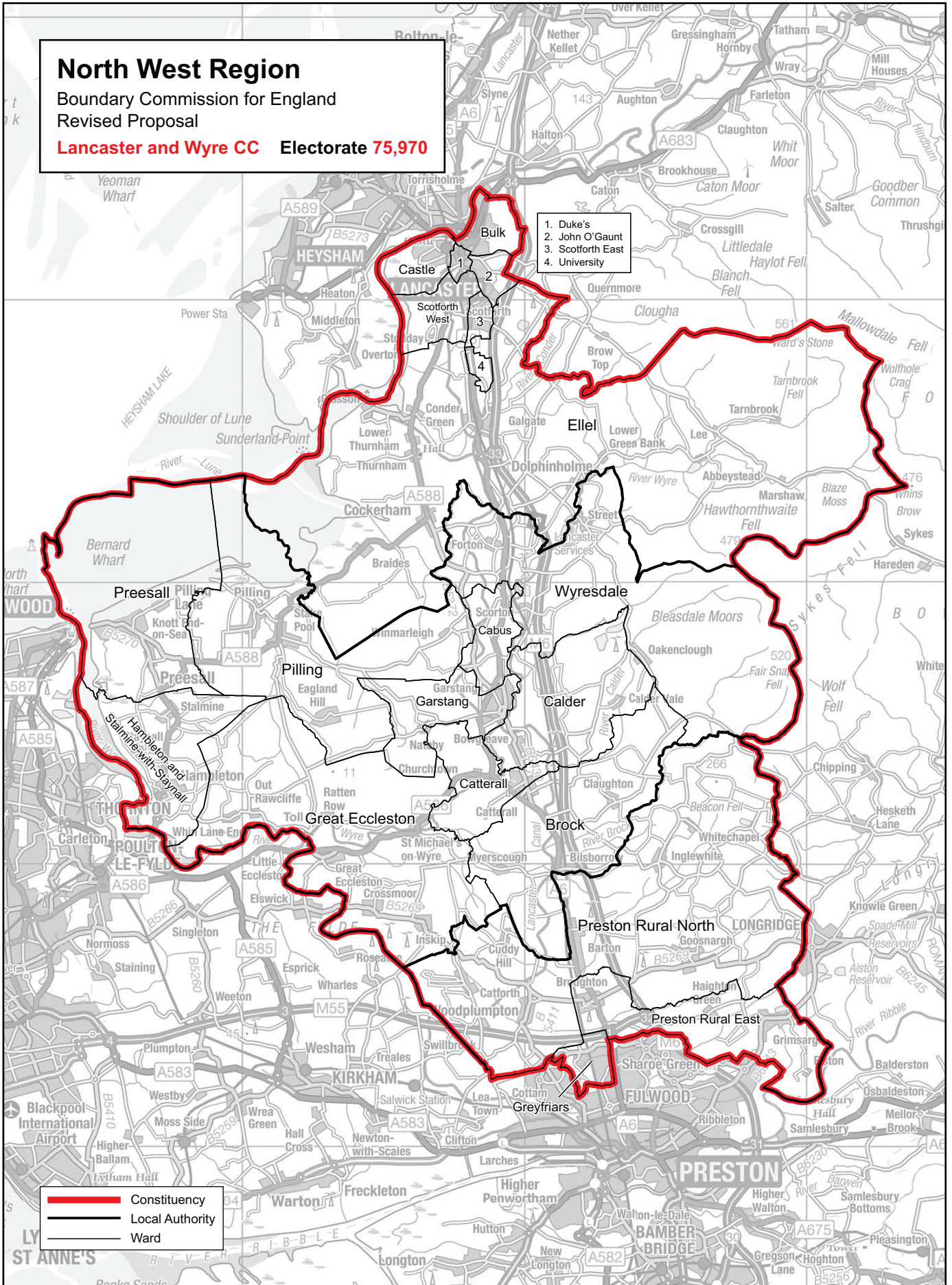
The Lancaster and Wyre County constituency proposed would greatly complicate the administration of elections. The Council would re-iterate its comments to the Commission on its initial proposals that it would prefer to see a Lancaster Constituency made up of wards within the Lancaster City Council area and Wyre Borough Council only. An example of this, which would achieve the required electoral quotas, is shown below.

Replace the three Preston Wards (total electorate 14,351) with three Wyre Wards (Staina 4,910; Bourne 5,125 and Carleton 3,327) adjoining the revised proposals for the Lancaster and Wyre CC. This proposal would give a total electorate of 74,981 for the Lancaster and Wyre CC.

A constituency which is based on an area administered by two rather than three local authorities would simplify the arrangements at election time and continue the working relationship between Lancaster City Council and Wyre Borough Council that has been in existence for the last four Parliamentary Elections.



This mapping extract has been produced from Ordnance Survey's mapping data on behalf of the Boundary Commission for England © Crown copyright 2012.



**COUNCIL BUSINESS COMMITTEE****Constitution – Supplementary Questions from Members  
at Council Meetings****8 November 2012****Report of the Democratic Services Manager****PURPOSE OF REPORT**

To consider a request from a Councillor to increase the number of supplementary questions which Members are allowed to ask at Council meetings. (Council Procedure Rule 13.6 refers).

**This report is public****RECOMMENDATION**

**(1) That the Committee consider the request.**

**1.0 Introduction**

1.1 A issue has been raised by a Councillor regarding supplementary questions from Councillors at full Council. Council Procedure Rule 13.6 currently states:-

*A questioner who has put a question in person may also put one supplementary question without notice to the Member who has replied to his or her question. A supplementary question must arise directly out of the original question or the reply and will be restricted and will be restricted to two minute duration.*

1.2 The Councillor in question has expressed a view that one supplementary question often raises another question which has to be asked at the next meeting. Hence when questions are delayed as they were in July 2012, when Members' questions were deferred to the September meeting, the follow on is delayed for an extra month. He requested that the matter be brought before this Committee, which has the authority to consider amendments to the Council Procedure Rules.

**2.0 Proposal**

2.2 Members consider whether Council Procedure Rule 13.6 should be amended to allow more than one supplementary question.

**3.0 Options and Options Analysis (including risk assessment)**

3.1 The options for the Committee to consider are to:

- Keep the current limit of one supplementary allowed per question asked
- Increase the limit to two (or more) supplementary questions allowed per question asked
- Completely remove the limit on the number of supplementary questions allowed.
- Introduce some other arrangement, for instance, keeping the limit of one supplementary question but allowing further questions to be read out at the meeting and responded to in writing (Reigate and Banstead Borough Council use this sort of system).

3.2 The advantages and disadvantages can be simply expressed. Keeping to the current limit of one question saves time during the meeting and any increase on the limit is likely to make Council meetings longer. However, Members may feel that the current limit is too restrictive and further questions without notice should be allowed at the meeting in the interests of clarity and openness.

**4.0 Other authorities**

4.1 The Democratic Services Manager has consulted with other authorities to find out how many supplementary questions are allowed at their Council meetings. The results are shown in the attached appendix and show that the majority of those who responded have the same arrangements in place as Lancaster City Council.

**5.0 Conclusion**

5.1 Members are asked to consider the issues raised by this report.

<p><b>RELATIONSHIP TO POLICY FRAMEWORK</b></p> <p>None.</p>
<p><b>CONCLUSION OF IMPACT ASSESSMENT (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)</b></p> <p>None.</p>
<p><b>LEGAL IMPLICATIONS</b></p> <p>There are no legal implications as a result of this report.</p>
<p><b>FINANCIAL IMPLICATIONS</b></p> <p>There are no financial implications as a result of this report.</p>
<p><b>OTHER RESOURCE IMPLICATIONS</b></p> <p><b>Human Resources:</b></p> <p>None.</p>

**Information Services:**

None.

**Property:**

None.

**Open Spaces:**

None.

**SECTION 151 OFFICER'S COMMENTS**

The Deputy Section 151 Officer has been consulted and has no further comments.

**MONITORING OFFICER'S COMMENTS**

The Monitoring Officer has been consulted and has no further comments.

**BACKGROUND PAPERS**

Constitution, Part 4, Section 1, para 13.6

**Contact Officer:** Debbie Chambers

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**E-mail:** dchambers@lancaster.gov.uk

**Ref:**

**BUCKINGHAMSHIRE COUNTY COUNCIL**

No supplementary questions allowed. Members submit questions in advance and a written reply is circulated round the Chamber.

**CAMBRIDGE CITY COUNCIL**

The same rules as Lancaster City Council.

**CHORLEY COUNCIL**

The same rules as Lancaster City Council.

**EAST STAFFORDSHIRE BOROUGH COUNCIL**

The same rules as Lancaster City Council.

**FYLDE BOROUGH COUNCIL**

The same rules as Lancaster City Council.

**HYNDBURN BOROUGH COUNCIL**

The same rules as Lancaster City Council.

**LONDON BOROUGH OF ENFIELD**

At Enfield, questions and answers are published with the Council agenda. One supplementary question is then allowed at the meeting if Members want the opportunity.

**LONDON BOROUGH OF ISLINGTON**

The same rules as Lancaster City Council.

**LONDON BOROUGH OF RICHMOND UPON THAMES**

Members can ask one supplementary. However, up to two other members can ask one supplementary each in addition to the questioner

**LUTON BOROUGH COUNCIL**

The Member who has asked the question can ask one or more supplementary questions. All supplementary questions must relate to the original question or to any answer given. Supplementary questions sometimes reach double figures. There is a time limit of 45 minutes for question time but if all questions have not been asked there is provision on the Council agenda to carry on at the end of the meeting.

**PRESTON CITY COUNCIL**

The same rules as Lancaster City Council.

**REIGATE AND BANSTEAD BOROUGH COUNCIL**

Members can submit one question for answer at Council. One supplementary question arising out of the answer can be asked. A Member can submit other questions but these receive a written answer.

**RIBBLE VALLEY COUNCIL**

The same rules as Lancaster City Council.

**ROSSENDALE BOROUGH COUNCIL**

Half an hour dedicated to members questions (plus any time left over from the public question time - also half hour – this is at the Mayor's discretion). Members get to ask one question plus one supplementary, and submitted questions are taken first before the time is opened up to other councillors.

**WEST LANCASHIRE BOROUGH COUNCIL**

No supplementary question allowed.

**WYRE COUNCIL**

The same rules as Lancaster City Council.



**COUNCIL BUSINESS COMMITTEE****Constitution – Issues of Urgency and Procedures for Urgent Business, Call-in and Waiver of Call-In****8 November 2012****Referral from the Overview and Scrutiny Budget and Performance Panel****PURPOSE OF REPORT**

At the request of the Budget and Performance Panel, the Committee is requested to consider issues of urgency and the Council's procedures for urgent business, call-in and waiver of call-in.

**This report is public**

**RECOMMENDATION**

- (1) **That, as requested by the Budget and Performance Panel, the Committee considers issues of urgency and the Council's Procedures for urgent business decisions normally taken by Cabinet, call-in and the waiver of call-in, currently set out in Part 4 of the Council's Constitution.**

**1.0 Introduction**

- 1.1 At its meeting on 25 September 2012, the Overview and Scrutiny Budget and Performance Panel resolved:

*"That the constitutional issues of urgent business decisions normally taken by Cabinet, call-in procedure, issues of urgency and of the waiver of call-in be referred to Council Business Committee for further consideration."*

- 1.2 The procedure relating to the taking of urgent business decisions is currently set out in Part 4, Section 7 of the Council's Constitution (reproduced at Appendix A) The procedures for call-in and the waiver of call-in are set out in Overview and Scrutiny Procedure Rules 16 to 18 in Part 5, Section 5 of the Constitution. (attached at Appendix B). However Members are asked to note that new meetings regulations introduced in September 2012 have had an impact on Urgent Business procedure rules 1.3, 4.1, 4.2 and 4.3. Full information on the regulations and the amendments which will be required to the Council's Constitution are detailed in a separate report for Members' consideration elsewhere on this agenda.

**2.0 Background – Issues of Urgency, Urgent Business Procedure, Call-in procedure and waiver of call-in.**

2.1 Urgency in relation to local authority decisions is usually defined as a decision which cannot reasonably be delayed or deferred.

2.2 The Council must have mechanisms in place to:

- (a) take key decisions which cannot reasonably be delayed until the next scheduled meeting of Cabinet (and to take decisions that would normally be taken by Council or a Committee in cases where there is not an available meeting)
- (b) call-in key decisions
- (c) waive the call-in period for a decision which must be implemented more urgently than the five day call-in period would allow.

2.3 Variations to the current procedures are discussed in the options below.

**3.0 Options**

3.1 Whilst this Committee has the authority to agree amendments to the Procedure Rules in the Constitution which contain the rules pertaining to Urgent Business and Call-in, Members may think that the input of Overview and Scrutiny Members would be useful. The Committee could recommend that the Overview and Scrutiny Committee form a task group to examine the procedures more closely and make recommendations to this Committee or to Council, especially since this was a matter raised by the Members of an O&S Panel.

3.2 Alternatively, the Committee may wish to form a view from the information which has been gathered so far.

3.3 **Urgent Business Procedure** – The Democratic Services Manager has consulted with colleagues elsewhere to see the range of procedures in operation. Some Constitutions allow any Chief Officer (Chief Executive, Director, Service Head) to take an urgent Cabinet decision in-between Cabinet meetings after consulting with relevant Cabinet Member(s). One authority has reported that their Heads of Service can take any decision urgently on behalf of cabinet provided they have consulted with the Leader, Chief Executive, Chairman of O&S and Heads of Finance and Legal. Others, like this Council's own, restrict this to the Chief Executive, or a Service Head in the absence of the Chief Executive, in consultation with one or more Cabinet Members. Some Authorities require the consent of at least one Cabinet Member.

3.4 **Call-in Procedure** - A very wide range of call-in procedures exist which are suited to the needs of the Authority. The areas where procedures differ tend to be the number of Members required to request a call-in, the requirements that they must be from different political groups (or not) and who determines whether the grounds for the call-in are justified. The grounds for call-in are all based around the principles of good decision-making and vary very little.

3.5 **Waiver of Call-in** - Currently, this decision is one that this Council's Chief

Executive may take after consultation with just one Elected Member, the Chairman of the Overview and Scrutiny Committee. In the Chairman of Overview and Scrutiny's absence, the Vice-Chairman may be consulted; in their absence, the Mayor or, in the absence of all three, the Deputy Mayor. The Committee might feel it more appropriate to widen out the Chief Executive's consultation to all Members of the Overview and Scrutiny Committee or a sub-group of Overview and Scrutiny Members so that the Chairman does not have to shoulder the full weight of that responsibility.

- 3.6 The Democratic Services Manager has consulted with other authorities in Lancashire on their call-in waiver procedures and these cover a wide spectrum. There are Councils where the decision-maker (Cabinet) has complete authority to waive call-in. Other Councils require the Chairman of Overview and Scrutiny or the Mayor to agree that the decision is reasonable in all the circumstances and to it being treated as a matter of urgency before the call-in period can be waived.
- 3.7 The advantages of a simple system which places the decision with Cabinet are ease of operation and speed of implementation of urgent decisions. Obvious disadvantages are the lack of involvement of scrutiny Members in a 'safeguarding' role. Such a system allows a risk that a Cabinet could over-employ the urgency procedures to 'get around' the call-in of controversial decisions.
- 3.8 The advantage of a system which is heavily reliant on the agreement of O&S or other non-Cabinet Members is that it provides a more effective safeguard to ensure that all decisions are subject to call-in unless they truly are so urgent they must be implemented immediately. The disadvantages of obtaining agreement from several individuals are the time it takes to obtain the agreement and the difficulties if not all the parties agree. It is more time-consuming to administer and there may be a risk of delaying immediate implementation of urgent decisions.
- 3.9 A system which is somewhere between these two points might seem to provide the best solution, where several Overview and Scrutiny Members are involved in the decision to waive call-in, removing the full weight of this responsibility from the Chairman.
- 3.10 There are no officer preferred options regarding any of these procedures. It is up to Councils to decide on local arrangements which best suit them, within the legal boundaries that exist.

#### **4.0 Conclusion**

- 4.1 It should be pointed out that both the Urgent Business procedures and the waiver of call-in are seldom used. So far this year the Urgent Business procedures have not been used for any key decisions and the waiver of call-in has only been used on one occasion.

**RELATIONSHIP TO POLICY FRAMEWORK**

None.

**CONCLUSION OF IMPACT ASSESSMENT**

**(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)**

Human Rights issues are reflected in the principles of decision-making set out in Article 13 of the Council's Constitution. There are grounds to call-in any decision which is not made in accordance with the principles.

**LEGAL IMPLICATIONS**

Should the Committee wish to recommend changes to any aspect of the Procedure Rules for Urgent Business or call-in, the changes would need to be compliant with the Local Government Act 2000 and subsequent relevant legislation and the Council's Constitution would need to be amended accordingly.

**FINANCIAL IMPLICATIONS**

There are no significant financial implications as a result of this report.

**OTHER RESOURCE IMPLICATIONS****Human Resources:**

None.

**Information Services:**

None.

**Property:**

None.

**Open Spaces:**

None.

**SECTION 151 OFFICER'S COMMENTS**

The Section 151 Officer has been consulted and has no further comments.

**MONITORING OFFICER'S COMMENTS**

The Monitoring Officer has been consulted and has no further comments.

**BACKGROUND PAPERS**

Constitution Part 4, Procedure Rules.

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**E-mail:** dchambers@lancaster.gov.uk

**Ref:**

## Part 4, Section 7

### Urgent Business Procedure Rules

#### 1. URGENT BUSINESS AT MEETINGS

- 1.1 Under normal circumstances items may only be included on agenda and decisions made in accordance with the Access to Information provisions set out in Part 4, Section 2 of this Constitution and Part VA of the Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985, the Local Government Act 2000 and the Local Authority (Access to Meetings & Documents)(Period of Notice)(England) Order 2002 whereby 5 clear days notice is given of the consideration of any item of business.
- 1.2 S100B(4) Local Government Act 1972, as amended, allows for the consideration of items of urgent business at meetings of Cabinet and Council and its Committees where by reason of special circumstances which shall be specified in the minutes, the Chairman of the meeting is of the opinion that the item should be considered as a matter of urgency and cannot be deferred to the next meeting.
- 1.3 Where the urgent business is to be considered by Cabinet and is a Key Decision and by reason of its urgency a notice has not been included in the Forward Plan, and a notice under Rule 4.2 below has not been given, then the decision can only be taken if Cabinet has obtained the agreement of the Chairman of the Overview and Scrutiny Committee or in his/her absence the Mayor, that the decision is urgent and cannot reasonably be deferred. (Rule 16 of the Access to Information Rules refers)

#### 2 URGENT NON-EXECUTIVE DECISIONS BETWEEN MEETINGS

- 2.1 There will be occasions when an urgent decision is needed and the matter cannot wait for the next ordinary meeting of Council or the appropriate Committee. On these occasions the Chief Executive is authorised to make the necessary decision following consultation with the Chairman of the relevant Committee, or in the case of a decision that would normally be made by Council, following consultation with the Mayor and Group Leaders.
- 2.2 Any decisions taken under this procedure must be reported to the next scheduled meeting of the decision-making body.

#### 3 URGENT NON-KEY EXECUTIVE DECISIONS

- 3.1 Individual Cabinet Members take non-key Executive decisions and these are generally published weekly. However, an urgent Executive decision that is a non-key decision may be taken by the relevant portfolio holder at any time, or in their absence, by the Leader, provided that the decision is published. Such decisions are subject to Call-in. However, if any delay likely to be caused by the Call-in process would seriously prejudice the Council's or the public's interests, Rule 17 of the Overview and Scrutiny Rules will apply and this will be recorded in the decision.

#### 4 URGENT KEY DECISIONS BETWEEN CABINET MEETINGS

- 4.1 Where a Key Decision, of which notice has been included in the Forward Plan, is required to be taken as a matter of urgency and it cannot reasonably be delayed to the next meeting of Cabinet, the Chief Executive may take the decision, having consulted with the Leader and relevant Cabinet Member. Any such decisions shall be published as an officer delegated key decision.

- 4.2 Where a Key Decision requires an urgent decision, and notice has not been included in the Forward Plan, Rule 15 of the Access to information Rules applies, and the decision may only be taken by the Chief Executive, in consultation with the Leader and the relevant Cabinet Member if:
- (a) the Chairman of the Overview and Scrutiny Committee, or if there is no such person, each member of the Overview and Scrutiny Committee, has been informed by notice in writing of the matter about which the decision is to be made;
  - (b) a copy of the notice referred to in (a) above has been made available for inspection by the public; and
  - (c) five clear days have elapsed following the day on which the notice referred to in (b) above was made available.
- 4.3 If by virtue of the date by which a decision must be taken Rule 4.2 above cannot be followed, then Rule 16 of the Access to information Rules applies, and the decision can only be taken if the Chief Executive has obtained agreement from the Chairman of the Overview and Scrutiny Committee, or in his/her absence the Vice-Chairman of Overview and Scrutiny or in his/her absence the Mayor, that the making of the decision cannot reasonably be deferred. If the relevant agreement is obtained, the Chief Executive may take the decision, in consultation with the Leader and the relevant Cabinet Member.
- 4.4 Decisions taken under Rules 4.1 to 4.3 must be reported into the next scheduled meeting of Cabinet.
- 4.5. If an urgent key decision is taken in accordance with Rules 4.1 to 4.3 above, and any delay likely to be caused by the Call-in process would seriously prejudice the Council's or the public's interest, Rule 17 of the Overview and Scrutiny Rules will apply and it will be recorded in the decision that the Call-in arrangements have been waived.

## **5 Quarterly reports on special urgency decisions**

- 5.1 The Leader will submit quarterly reports to the Council on the Cabinet decisions taken in the circumstances set out in Rules 4.1 to 4.3 above in the preceding three months. The report will include the number of decisions so taken and a summary of the matters in respect of which those decisions were taken.

**16. Call-In Arrangements****APPENDIX B**

Call-in should only be used in exceptional circumstances. 'Exceptional circumstances' are where Members of the Overview and Scrutiny Committee have evidence which suggests that the decision in question will not be, or has not been made, in accordance with the principles set out in Article 13 (Decision Making).

- (a) When a decision is made by the Cabinet or a Committee of the Cabinet, or a Key Decision is made by an Officer with delegated authority from the Cabinet, or an Area Forum/Committee or under joint arrangements, the decision shall be published, by electronic means and shall be available on the Council website and at the main Offices of the Council normally within 2 days of being made. Members of the Overview and Scrutiny Committee will be sent copies of the records of all such decisions within the same timescale by the person responsible for publishing the decision.
- (b) That notice will bear the date on which it is published and will specify that the decision will come into force and may then be implemented on the expiry of 5 working days after the publication of the decision, unless there are objections to it and it is Called in.
- (c) During that period, the Chief Executive shall call-in a decision for scrutiny by the Overview and Scrutiny Committee if so requested in writing or by e-mail from a known or recognised source, by exactly 5 non-Cabinet Councillors, not all of the same political group, of which two must be members of the Overview and Scrutiny Committee and shall then notify the decision-maker of the Call-in. This can be a collective notification from two or more Councillors of the same political group. The decision shall be considered by the Overview and Scrutiny Committee within 10 days of the decision to Call-in, and, if necessary, this may be dealt with as an item of urgent business at a scheduled meeting of the Overview and Scrutiny Committee within that period.
- (c) If following a request to Call-in, the Overview and Scrutiny Committee does not meet within 10 working days, or does meet but does not refer the matter back to the decision making person or body, the decision shall take effect on the date of the Overview and Scrutiny Committee meeting, or the expiry of the 10 day period, whichever is the earlier.
- (d) If, having considered the decision, a majority of the Overview and Scrutiny Committee is still concerned about it, then it may refer it back to the decision making person or body for further consideration, setting out in writing the nature of its concerns, or refer the matter to Council.
- (e) In the case of Individual Cabinet Member and officer delegated decisions these will be referred to full Cabinet for reconsideration.
- (f) If the matter is referred by the Overview and Scrutiny Committee to Council and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision in paragraph (h) below. However, if the Council does object, it has no locus to make decisions in respect of a Cabinet decision unless it is contrary to the Policy Framework, or contrary to or not wholly consistent with the Budget. Unless that is the case, the Council will refer any decision to which it objects back to the decision making person or body, together with the Council's views on the decision. In the case of Individual Cabinet Member and officer delegated decisions these will be referred to full Cabinet for reconsideration. Cabinet shall then choose whether to amend the decision or not before reaching a final decision and implementing it. The matter will be re-considered no later than the next scheduled meeting of the Cabinet after the referral from Council. Following the re-consideration of the decision, the outcome must be publicised within 2 days and can be implemented with immediate effect.

- (g) If the Council does not refer the decision back to the decision-making body or person, the decision will become effective on the date of the Council meeting at which the Overview and Scrutiny Committee referral was considered.
- (h) The only exception to these Call-in arrangements is that contained in Rule 17 below.

**17. Call-in and Urgency**

- (a) The Call-in procedure, set out above, shall not apply where the decision being taken is urgent. A decision will be urgent if any delay likely to be caused by the Call-in process would seriously prejudice the Council's or the public's interests. The record of the decision and notice by which it is made public shall state whether in the opinion of the decision making person or body, the decision is an urgent one and, therefore, not subject to Call-in. The Chairman of the Overview and Scrutiny Committee must be consulted and the Chief Executive agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. In the absence of the Chairman, the Vice-Chairman shall be consulted and in their absence the Mayor. In the absence of all three, the Deputy Mayor, or in their absence, the Chief Executive's consent shall suffice. Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.
- (b) The operation of the provisions relating to Call-in and urgency shall be monitored annually and a report submitted to Council with proposals for improvement if necessary.

**18. Call-in Procedure**

In considering a Call-in decision the following procedure will be followed:

- The Councillors who have made the Call-in request (who shall be seated together) will outline the reasons for the Call-in;
- The relevant decision-maker(s), with support from the appropriate officer(s) (who shall be seated together), will outline the reasons for their decision and the issues that they took into account;
- Councillors who are signatories to the Call-in request will have the opportunity to question the decision-maker;
- Other Members of the Overview and Scrutiny Committee will have the opportunity to question the decision-maker;
- At the discretion of the Chairman, other Members present may have the opportunity to question the decision-maker;
- Before forming a decision, the Chairman may decide to adjourn the meeting in order to allow the Call-in signatories to reflect on the evidence received and to consider any recommendations they wish the Committee to consider.
- The meeting then moves to forming a decision in accordance with the Council Procedure Rules.



<b>COUNCIL BUSINESS COMMITTEE</b>
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## **Constitution – Public Speaking at Council Meetings**

**8 November 2012**

### **Report of the Democratic Services Manager**

<b>PURPOSE OF REPORT</b>
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To approve amendments to the Council's Constitution regarding the required deadlines, set out in Council Procedure Rule 14, for members of the public to submit a request to address a Council meeting.
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<b>This report is public</b>
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#### **RECOMMENDATION**

- (1) That the Constitution be amended as shown at Appendix A.**
- (2) That the current guidance leaflet for the public, which is made available on the Council's website and supplied to members of the public enquiring about speaking, be replaced with the revised version shown at Appendix B.**

#### **1.0 Introduction**

- 1.1 At the last meeting of this Committee on 13 September, Members considered the deadlines for public speaking at Council meetings, in particular the deadline for registering to speak. The current deadline invariably comes before the agenda publication date, making it impossible for the public to view the agenda before registering to speak on a particular topic or to know whether it will be included on the agenda.
- 1.2 Members felt that it was time to rectify this arrangement and extend the deadline to midday 3 working days before the meeting, in line with the deadline for public questions. The Committee asked that the Constitution be reworded accordingly and brought back to this meeting for approval along with a revised guidance document for the public.
- 1.3 The opportunity has also been taken to simplify the wording of the relevant Council Procedure Rule, and to delete the reference to petitions, as there is a separate part of the Constitution (Part 10) which relates to petitions. A member of the public who wishes to present a petition whilst at the same time addressing Council is at liberty to do so, but the general rules on addresses would still apply.

#### **2.0 Proposal**

- 2.1 Members are asked to approve the changes to the Constitution set out at Appendix A. The effect of these changes is to allow a window of opportunity for the public to view the Council agenda before deciding whether or not to register to speak. Members of the public will still be able to register to speak at Council

meetings about any matter which affects the area or the inhabitants of Lancaster District. The issue does not have to be on the agenda, but the proposed change will enable the public to speak on agenda items.

- 2.2 At the last meeting, Members raised the question of what measures might be put in place to ensure that the number of public speakers did not become unmanageable. Paragraph 14.6 covers this, introducing the same limits which are in place for speaking at Cabinet, a maximum of 10 speakers per meeting on a first come, first served basis, with groups of speakers with similar views to be represented by a spokesperson.
- 2.3 Democratic Services will monitor the new arrangements and if any issues arise regarding the limits set or any other aspect of the public speaking rules, they will be reported back to the Committee for consideration.

**3.0 Options and Options Analysis (including risk assessment)**

- 3.1 The options for the Committee are to approve the attached documents or not, or to approve the attached document with amendments.

**4.0 Conclusion**

- 4.1 Members are asked to approve the amendments to the Constitution regarding public speaking at Council meetings, in line with the decision made at the last Committee meeting.

<p><b>RELATIONSHIP TO POLICY FRAMEWORK</b></p> <p>None.</p>
<p><b>CONCLUSION OF IMPACT ASSESSMENT (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)</b></p> <p>None.</p>
<p><b>LEGAL IMPLICATIONS</b></p> <p>There are no legal implications as a result of this report.</p>
<p><b>FINANCIAL IMPLICATIONS</b></p> <p>There would be a very small cost for reprinting the leaflet, however this would be minimal and met within existing budgets.</p>
<p><b>OTHER RESOURCE IMPLICATIONS</b></p> <p><b>Human Resources:</b></p> <p>None.</p>

**Information Services:**

None.

**Property:**

None.

**Open Spaces:**

None.

**SECTION 151 OFFICER'S COMMENTS**

The Deputy Section 151 Officer has been consulted and has no further comments.

**MONITORING OFFICER'S COMMENTS**

The Monitoring Officer has been consulted and has no further comments.

**BACKGROUND PAPERS**

Constitution, Part 4, Section 1 and Public Speaking at Council/Cabinet leaflets published by Governance (Democratic Services).

**Contact Officer:** Debbie Chambers

**Telephone:** 01524 582057

**E-mail:** dchambers@lancaster.gov.uk

**Ref:**

**14 PUBLIC SPEAKING**

- 14.1 At a meeting of the Council a Local Government Elector or Council Tax Payer for the area of the Authority may address Council on any item on the agenda for the meeting, or on any matter in relation to which the Council has functions, or which affects the area of the Council or part of it, or the inhabitants of that area, or some of them.
- 14.2 The provision outlined in 14.1 does not extend to applications for or objectors to:-
- planning permission (see the Council's arrangements for public participation in Planning and Highways Regulatory Committee meetings as outlined in the leaflet available from Democratic Services);
  - any licence, notice or order issued, served or made by the Council.
- 14.3 An address may only be presented at Council if notice has been given by delivering it in writing or by electronic mail to the Chief Executive no later than midday 3 days before the day of the meeting and the notice includes the wording of the address. The Chief Executive shall not accept the notice unless he or she is satisfied that the address is proper to be presented. Late requests to address Council will not be considered.
- 14.4 In presenting an address, the person may speak for not more than five minutes. The speech shall reflect the wording referred to in Rule 14.3 above, and shall not constitute a personal attack upon any person. The person or persons making the address shall be heard in silence. Following the presentation of an address, the appropriate Cabinet Member or Committee Chairman will be given the opportunity to respond to the submission for not more than five minutes.
- 14.5 Addresses shall be presented in order in which notice of them is received by the Chief Executive. There will be a maximum of ten speakers allowed per Council meeting on a first come, first served basis. Groups of persons with similar views should elect a spokesperson to speak on their behalf to avoid undue repetition of similar points. Spokespersons should identify in writing on whose behalf they are speaking as part of the registration process. The Head of Governance to be authorised to ask speakers to consolidate their views if there are more than three speakers in the group.
- 14.6 Where the subject matter of an address received is within the terms of reference of Council, it shall be referred to the next convenient meeting of the relevant Council body within whose terms of reference it falls.
- 14.7 Where an address is referred to a meeting of a Council body, that meeting shall either report upon the subject matter to the next meeting of the Council or committee, or include their views upon the subject matter in their next report to the Council or committee.

# Questions/Petitions/Speaking at Council Meetings

The aim of this process is to give members of the public the opportunity to raise issues of concern in the Lancaster District or to speak about an item on the Council agenda.

## Who can you ask?

At ordinary meetings of the Council, you may ask questions of Members of the Cabinet, the Chairman of a Committee or the Chairman of an Overview and Scrutiny meeting.

## What can you ask?

You can ask any question as long as it relates to local issues and affects the Lancaster District.

## What can't you ask?

The Chief Executive may reject a question if it:

- a) Is not about a matter that Lancaster City Council is responsible for or doesn't affect the District;
- b) Is defamatory, frivolous or offensive;
- c) Refers to applications for or objections to planning permission or any licence, notice or order issued, served or made by the Council.
- d) Is substantially the same question which has been put at a meeting of the Council in the past 6 months; or
- e) Concerns confidential or exempt information.

If your question is rejected you will be told and given the reason why.

## Addressing the Council

A registered elector or council tax payer living within the area of Lancaster City Council may present a petition or address if it is

- about a item on the agenda for the meeting; or
- relevant to matters that the City Council is responsible for: or
- it affects the Lancaster District

This excludes petitions regarding planning permission and any licence, notice or order issued, served or made by the Council.

## Giving Notice

If you want to ask a question at a meeting, to address Council or to present a petition, you will need to give notice. You can do this by delivering the question or wording of your address in writing or by e-mail to the Chief Executive (contact details below) no later than 12 noon, 3 working days before the day of the meeting. If you are presenting a petition you must also submit the wording of your petition.

**Chief Executive  
Lancaster City Council  
Town Hall  
Dalton Square  
Lancaster  
LA1 1JP**

**Email: [chiefexecutive@lancaster.gov.uk](mailto:chiefexecutive@lancaster.gov.uk)**

In each case, please give your name and address and, if you want to ask a question, you must name

the Member of Cabinet or Chairman you want to ask the question of.

**Late requests to speak will not be considered.**

If you are unable to be present at the meeting to ask your question, you may request that the Chairman ask the question on your behalf. The Chairman may ask the question on your behalf, indicate that a written reply will be given or decide, in your absence, that the question will not be dealt with.

At any one meeting no person may submit more than **one** question and no more than two questions may be asked on behalf of one organisation.

All questions received are recorded and are open to public inspection and the question is immediately sent to the Member to whom it is to be put.

## On the day of the meeting - Questions

1. You must arrive at the meeting at least 15 minutes before the start, and make yourself known to the Democratic Support Officer present.
2. Questions will be asked in the order that they were received, although the Chairman may group similar questions together.
3. When it is time to ask your question, the Chairman will invite you to put the question to the Member. There is a time limit of 2 minutes to ask your question.
4. Unless the Chairman decides otherwise, no discussion will take place on any question.

**Supplementary Question**

- 5. You may also ask one supplementary question without notice to the Member that has answered your original question.
- 6. The supplementary question also has a time limit of 2 minutes and must arise directly from the original question.

**Response**

- 7. The response to your question will have a time limit of 3 minutes.
- 8. Some questions can not be answered during the meeting, either because of lack of time or non-attendance of the Member to whom the question was asked. These questions will be answered in writing.

Public question time at Council meetings should not exceed 30 minutes in duration.

**On the day of the meeting – Petition/Address**

- 1 Petitions and addresses will also be presented in the order they are received.
- 2 You will be given the opportunity to present your petition or address. You will have a 5 minute time limit to do so. What is said must relate to the matter indicated when requesting to speak.
- 3 Following your address/petition the appropriate Councillor will be given the opportunity to respond for no more than 5 minutes.

- 4 Your address may be referred to the next convenient meeting of the relevant Council body if deemed necessary.
- 5 Your petition may trigger a debate at Council, depending on the number of signatures. Please contact the Democratic Service Manager on 01524 582057 for further details of the Council's Petitions Scheme.

Copies of this leaflet can be obtained by calling at Lancaster and Morecambe Town Halls, or by telephoning Democratic Services on (01524) 582096.

This information can be made available in large print, Braille, audio and in other languages. Please contact Democratic Services on 01524 582096 for more details or if you have any particular needs to allow you to participate in the event.



*Promoting City, Coast & Countryside*

Democratic Services  
Lancaster Town Hall  
Lancaster LA1 1PJ

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[www.lancaster.gov.uk](http://www.lancaster.gov.uk)

November 2012

# Public Questions/ Petitions/ Speaking at Council Meetings



## A Guide for the Public

Democratic Services  
Lancaster City Council