

COUNCIL BUSINESS COMMITTEE

Public Speaking at Cabinet Meetings

12th March 2009

Report of Head of Democratic Services

PURPOSE OF REPORT

This report asks Members to consider a request from Cabinet to amend the Cabinet Procedure Rules (Part 4, Section 4 Paragraph 2.7) of the Constitution with regard to the procedure for Public Speaking at Meetings of Cabinet.

This report is public

RECOMMENDATIONS

- (1) That Council Business Committee approves amending Paragraph 2.7 of Part 4, Section 4 of the Council's Constitution in line with Cabinet's recommendation:-**
 - (a) That public speakers at Cabinet be asked to provide a written version of their speech or questions in advance wherever possible; and**
 - (b) be prepared to respond to questions from Cabinet Members at the meeting if necessary.**

1.0 Introduction

- 1.1 The Cabinet Procedure Rules in Part 4, Section 4, Paragraph 2.7 of the Council's Constitution (reproduced at Appendix A) set out the rights of the public to speak at Cabinet. At its meeting on 20th January 2009, Cabinet considered a report reviewing the procedure for public speaking and resolved to make recommendations to Council Business Committee regarding the Constitutional procedure for public speaking at Cabinet.

2.0 Proposal Details

- 2.1 The resolution made by Cabinet on 20th January was

"That Cabinet recommend to Council Business Committee that public speakers at Cabinet be asked to provide a written version of their speech or questions in advance wherever possible and be prepared to respond to questions from Cabinet members at the meeting, if necessary."

2.2 Appendix B to this report shows suggested changes to the wording of Paragraph 2.7 Constitution arising from the above Cabinet resolution.

4.0 Options and Options Analysis (including risk assessment)

4.1 The Committee has the option of

- (a) Approving changes to the wording of the Cabinet Procedure Rules in the Constitution regarding Public Speaking as sent out in Appendix B
- (b) Not approving any changes to the Cabinet Procedure Rules in the Constitution regarding Public Speaking
- (c) Approving different wording to amend the Cabinet Procedure Rules in the Constitution regarding Public Speaking.

5.0 Conclusion

5.1 The Committee is requested to consider incorporating into the Constitution the proposed changes to public speaking procedure as shown at Appendix A

CONCLUSION OF IMPACT ASSESSMENT

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

The proposal supports the Council's Corporate Plan priorities of delivering customer-focused services and improving the Council.

FINANCIAL IMPLICATIONS

There would be some small ongoing costs associated with a change in the procedures, so that Cabinet Public Speaking leaflets and Forward Plan leaflets can be provided and made available to the general public. There are also some human resource implications in the amendment of WebPages. These can be met from existing budgets.

SECTION 151 OFFICER'S COMMENTS

The S151 Officer has been consulted and has no further comments.

LEGAL IMPLICATIONS

Details of the scheme for public speaking are contained within the Council's Constitution and any amendments require Council Business Committee approval.

MONITORING OFFICER'S COMMENTS

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

BACKGROUND PAPERS

Agenda and minutes of Cabinet dated 20th January 2009.

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Appendix A

Extract from the current Constitution, Part 4, Section 4, Cabinet Procedure Rules

2.7 Rights of the Public to Speak at Cabinet

- (a) Members of the public are permitted to speak on issues included on the Cabinet Agenda, with questions/comments from the public prior to the commencement of each item.
- (b) Notice of the wish to speak must be registered with Democratic Services in writing or by telephone before 12 Noon on the Thursday before Cabinet meets.
- (c) It is the responsibility of the person wishing to speak to find out the appropriate date that Cabinet will consider the item of business that they wish to speak on. This information can be obtained from Democratic Services. Late requests to speak at Cabinet will not be considered.
- (d) Any request to speak must include the person's name, address and contact telephone number, together with details on the item they wish to speak on. If possible a brief summary of the views of the person should be provided.
- (e) Persons who have registered to speak should be in attendance 30 minutes prior to the commencement of the meeting to enable a list of speakers present to be passed to the Chairman. Any latecomers who have not confirmed their intention to speak on the morning of the meeting will only be allowed to speak at the discretion of the Chairman.
- (f) Democratic Services, having received notice from persons wishing to speak will re-order the agenda to enable items with public participation to be considered first.
- (g) There will be a maximum of 10 speakers per Cabinet meeting on a first come first served basis with a maximum of 5 minutes per speaker.
- (h) There will be a maximum of 3 speakers on each item of business, but if there are less than 10 speakers in total to speak at Cabinet then a maximum of 4 people be allowed to speak on a particular item of business on a first come first served basis, at the discretion of the Chairman.
- (i) Any group 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 Democratic Services to be authorised to ask speakers to consolidate their views if there are more than 3 persons in the group.

Appendix B

Extract from the current Constitution, Part 4, Section 4, Cabinet Procedure Rules, highlighting the proposed amendments in bold text.

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- (d) Any request to speak must include the person's name, address and contact telephone number, together with details on the item they wish to speak on. **A written version of their speech or questions must be supplied in advance wherever possible.**
- (e) Persons who have registered to speak should be in attendance 30 minutes prior to the commencement of the meeting to enable a list of speakers present to be passed to the Chairman. Any latecomers who have not confirmed their intention to speak on the morning of the meeting will only be allowed to speak at the discretion of the Chairman.
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- (j) **Speakers must be prepared to respond to questions from Cabinet Members at the meeting if necessary.**