

PUBLIC SPEAKING AT SCRUTINY COMMITTEES

Report of the County Solicitor

Recommendation: that approval be given to the introduction of a facility for public speaking at Scrutiny Committees along the following lines set out hereunder, on a trial basis for 12 months.

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The County Council has well established rules for Public Participation at its Council and Cabinet meetings and at various Committees and at the Joint Scrutiny Budget meeting - to allow members of the public to ask questions, present petitions or make representations in certain circumstances, having regard to the functions of those bodies and their roles and areas of responsibility. This is in addition to the Council's more formal targeted engagement and consultation processes which necessarily will always include the public.

These arrangements are kept under review and are revised as appropriate to reflect changing circumstances and best practice - as is demonstrated most recently by the introduction in 2014 of an opportunity for members of the public to make oral representations/presentations on the proposed budget at the Joint Budget Scrutiny session.

In light of representations received and a number of 'ad-hoc' instances in the past 12 months where members of the public had either sought or been permitted to or invited to speak at scrutiny meetings the Chairmen and Vice-Chairmen of the Council's Scrutiny Committee felt it was timely to re-visit the current rules so that - if the Council was minded to allow or encourage this on a more regular basis - there was a consistency of approach and clarity for all concerned.

That Group subsequently suggested that, as a means of facilitating and encouraging greater public participation at Scrutiny Committees, the Procedures Committee consider (for adoption by the Council) the introduction of an approach along the following lines, consistent with practice elsewhere, on a trial basis for 12 months:

*Any resident (of the administrative county) of Devon may speak on any substantive matter listed on the Agenda of any Scrutiny Committee (i.e. other than matters for information or administrative business); excluding the Annual Joint Scrutiny Committee meeting where separate arrangements apply.*

*Any person wishing so to do must register their desire to speak, in writing (by letter, fax or email), by 0900 hours on the (working) day immediately preceding the day of meeting of the relevant Scrutiny Committee - giving a brief outline of the point(s) or issue(s) they wish to raise. If more than one person wishes to make the same point or make similar representations, those persons may be asked to agree a spokesman to make a single presentation.*

*Any statements/representation shall be limited to 3 minutes per person, within an overall time limit of 15 minutes. Any and all such statements/representations will be taken together at the beginning of the relevant Scrutiny Committee, immediately after consideration of any urgent business. If there are more than 5 persons wishing to speak the Chairman may reduce the amount of time for each person. For best effect, any statement/representations should be short and concise and must not be defamatory or offensive. No writing or photographic material may be circulated around a meeting during any presentation.*

*Direct, specific, questions to Members or Officers will not be accepted but, in making any statement/representation, a person may of course pose a general inquiry or suggestion that they would wish the Committee to have regard to in the course of its subsequent deliberations. There will be no debate on or response given to any statements/representations made at that time: the Committee will have regard to all issues so raised during its consideration of the substantive matter later in that meeting.*

*[NB: The introduction of any form of public speaking at Scrutiny Committees does not preclude or prevent a Scrutiny Committee or Task Group from inviting members of the public or interested parties to give evidence (as happens now) when gathering data etc., for a particular piece of work.]*

*In addition and both as a means of 'advertising' this facility and encouraging the public to submit views to any Scrutiny Committee reviewing or examining a specific topic, the arrangements set out above could be more widely promulgated through the media/social media to encourage wider public participation and involvement in scrutiny activity generally .. using a form or words along the following lines (which could also be included on the agenda for all Scrutiny Committee meetings) viz:*

*'Devon's residents may attend and speak at any meeting of a County Council Scrutiny Committee when it is reviewing any specific matter or examining the provision of services or facilities as listed on the agenda for that particular meeting.*

*Scrutiny Committees set aside 15 minutes at the beginning of each meeting to allow anyone who has registered to speak on any such item. Speakers are normally allowed 3 minutes each.*

*Anyone wishing to speak is requested to register in writing with .....[insert contact details]..... by 0900 hours on the day before the meeting... indicating which item they wish to speak on and giving a brief outline of the issues/ points they wish to make.*

*Alternatively, any Member of the public may at any time submit their views on any matter to be considered by a Scrutiny Committee at a meeting or included in its work Programme direct to the Chairman or Members of that Committee or via the Democratic Services & Scrutiny Secretariat (insert email..). Members of the public may also suggest topics (see: <https://new.devon.gov.uk/democracy/committee-meetings/scrutiny-committees/scrutiny-work-programme/>)*

*All Scrutiny Committee agenda are published at least seven days before the meeting on the Council's website: at <http://www.devon.gov.uk/cma.htm> '*

This Report has no specific equality, sustainability, legal or public health implications that will not be assessed and appropriate safeguards and/or actions taken in line with relevant election law and guidance.

JAN SHADBOLT

[Electoral Divisions: All]

**Local Government Act 1972: List of Background Papers**

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| <b><u>Background Paper</u></b> | <b><u>Date</u></b> | <b><u>File Reference</u></b> |
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Nil