

Report to: Cabinet

Date: 21st August 2008

Subject: Questions by the Public at Meetings of Council

Report of: Service Director Borough Solicitor

Contact officer: Kevin Lawson (Telephone: 01942 827026)

Purpose / summary: To confirm Members' views as discussed at a previous meeting concerning Councillor G. Wilkes' motion to Council regarding questions by the public at meetings of Council and to make recommendations thereon to Council.

Alternative options considered and reason for selecting the one recommended: The options available to Cabinet are to recommend to Council that it:

- accepts the motion and allow questions by the public at meetings of Council (either with or without restrictions) and to amend the Council's Constitution accordingly, or
- does not accept the motion and do not allow questions by the public at meetings of Council

Recommendation / decision: That Cabinet consider this report and make a recommendation to Council

Key Decision: This report does not involve a key decision.

Risks / Implications:

Financial:	None anticipated
Staffing:	None anticipated
Policy:	Amendment to Wigan Council's Constitution
Equal Opportunities - Has a Diversity Impact Assessment been conducted?	None considered appropriate
Wards affected:	All

Property Implications– Does the proposal involve a reduction, addition or change to the Council's asset base or its occupation?

No

If yes have the property implications been agreed with the Corporate Property officer?

N/A

Does this proposal have significant implications for the Council and the local population?

No

Does this proposal involve a new policy or procedure or significant changes to an existing policy or procedure?

If Council resolves to allow questions by the public at meetings of the Council the Council's Constitution will require amendment.

Has the Service Director Borough Solicitor confirmed that the recommendations within this report are lawful and comply with the Council's Constitution? **Yes**

Has the Service Director - Corporate Services confirmed that any expenditure referred to within this report is consistent with the Council's budget? **N/A**

Are any of the recommendations within this report contrary to the Policy Framework of the Council? **No**

For Cabinet reports only :

Categorisation of the report:	X		X
Discussion leading to a decision	X	Discussion	
Monitoring		Decision	
Sharing for corporate understanding		Information	

Tracking/Process:

	Consultation	Ward Members	Partners
Panel	Overview & Scrutiny	Cabinet	Council
		24 th July and 21 st August 2008	9 th July 2008 and 3 rd September 2008

List of Background Papers in accordance with Section 100D of the Local Government Act 1972:

Document	Date	File Reference	Place of Inspection
Wigan Council's Constitution			Town Hall, Library Street, Wigan

Proper Officer
Date Kevin Lawson
8th August 2008

1. BACKGROUND

- 1.1 At the meeting of Council held on 9th July 2008 Councillor G Wilkes submitted the following motion, which was seconded:-

“At the commencement of each ordinary meeting of the Council there is an opportunity for people who live, work or study in the Borough of Wigan and Leigh to attend and put questions to the Leader of the Council and Executive Members.

Public Question Time will begin at 6:00pm in the Council Chamber and will last for 30 minutes.

Questions are restricted to matters relating to Wigan Council and/or the services provided by the Council.

A person may only submit one question for consideration at any Public Question Time, but one supplementary question will be allowed in each case.

Questions will not be accepted which relate to:-

- *Judicial or quasi-judicial matters;*
- *Matters under investigation;*
- *Individual planning, license or grant applications or appeals;*
- *Named officer or member of the Council;*
- *Confidential or exempt information as described in the Access to information Procedure Rules or requires its disclosure;*
- *Party political matters;*
- *Defamatory material; and*
- *Substantially the same issue as a question put within the past 6 months.*

Questions will not be accepted from Member and Employees of the Council.

Questions must be submitted in writing and received no later than 3 working days prior to any Full Council meeting

Questions will be dealt with in the order in which they are received.

If time does not allow all of the submitted questions to be dealt with, a written answer will be provided within seven days.”

- 1.2 During the debate on Councillor Wilkes' motion a suggestion was made by Councillor P A Tushingham that:-

“This Council will provide an opportunity for the people of Wigan Borough to put questions to the Leader of the Council, Leaders of the opposition parties and Executive Members. This could either be at either a dedicated open night or prior to full Council and held in the Council Chamber.”

- 1.3 Council resolved to refer the motion as set out above, submitted by Councillor G Wilkes, together with the suggestion of Councillor Tushingham, to Cabinet and requests a report back to the next Council meeting.

2. PROPOSALS

- 2.1 At its meeting on 24th July Cabinet considered the motion and reached the following conclusions:-
- 2.2 There is a recognised need to improve engagement with the community on matters which lie within the responsibility of both the Council and its partners.
- 2.3 There are currently a number of initiatives under consultation and development by central government which are aimed at enhancing community engagement these include the development of processes to enable the community through petitions and Councillor calls for action to ensure direct consideration by Members of issues raised by members of the public. In addition the role of individual Members of the Council to act as advocates for their community is stressed through the Local Government Act 2000 and the Public Involvement in Health Act 2007.
- 2.4 The Council itself is actively seeking to develop the scrutiny role of Members and the involvement of the community and is seeking to develop the role of Township Forums to ensure that the community can directly engage with Members and its LSP partners.
- 2.5 It was considered that the proposals for Council Meetings was flawed in that such a process could be subject to abuse by both individuals and groups and the short period for debate and responses would not be sufficient to enable a range of issues to be adequately dealt with.
- 2.6 Cabinet put forward a range of potential additional improvements which could involve Cabinet meetings being held in different locations in the Borough with provision for dialogue with Members. It was also considered that there could be a development through I.T. and the internet of questions and answers on issues involving the Council and there could be further work put forward to enable the Council to explain how it actually works and how decisions are made.
- 2.7 Members concluded therefore that the motion would not be supported but that a range of initiatives to improve community engagement along the lines now indicated should be encouraged. It was also considered that the Councillors Services Group should consider the suggestions with a view to a further report in due course to Cabinet.

3. RECOMMENDATION

That Cabinet recommend to Council that the motion of Councillor G. Wilkes and suggested amendment by Councillor P.A. Tushingham not be approved but that the initiatives indicated by Cabinet be developed and considered by the Councillors Services Group with a view to a further report to Cabinet.