

Public Question Time Scheme of Operation - Review
Report by Solicitor and Monitoring Officer

Summary:	This report provides an overview of the Broads Authority's Public Question Time Scheme of Operation to invite members to consider amendments to the current Scheme to improve the efficiency of all Authority and Committee meetings.
Recommendation:	That the Authority adopts the amended Public Question Time Scheme of Operation detailed in Appendix 1 for all Authority and Committee meetings.

1 Introduction

- 1.1 During its meeting on 25 September 2015, officers were invited to review the Authority's Public Question Time Scheme of Operation (PQT Scheme) and consider whether any steps could be proposed that would improve the effectiveness of the Scheme and support the efficiency of Authority and Committee meetings.
- 1.2 This Authority's current PQT Scheme was last reviewed by Members at its meeting on 21 November 2014, where it was decided to amend the Scheme so that a question, statement or petition could be addressed at a meeting, without the requirement for the member of the public providing the question, statement or petition to be present.

2 Review

- 2.1 Having reviewed the PQT Scheme of a number of National Park Authority (North York Moors NPA, Lake District NPA and Brecon Beacons NPA), it is clear that this Authority's PQT Scheme mirrors the majority of those respective Schemes in addition to a number of such PQT Schemes in force at neighbouring local authorities.
- 2.2 In the course of that review, a few differences have been identified which might be helpful for this Authority to adopt within its own Scheme. However, on the whole, mindful of those other PQT Schemes which have been compared to that of this Authority, it is recommended that the Scheme as a whole remain the same as it ensures a fair and reasonable method to allow members of the public to raise legitimate questions of this Authority.

3 Proposed Changes to PQT Scheme

- 3.1 Of the minor changes proposed, which members are invited to consider, include the following:
- 3.1.1 Removing the right to present a petition or make a statement – It is believed that there are more appropriate methods for members of the public to raise to the attention issues of concerns to the Authority and its members other than a petition or statement before public meetings of the Authority and/or its committees. This change will not affect the right of local residents to make representations before Planning Committee in relation to applications to be considered by members, as members will be aware that there are separate arrangements published by this Authority regarding public speaking before Planning Committee.
- 3.1.2 Amending the way the Authority provides a reply to a question from a member of the public where they are not or unable to be present at the meeting – It is proposed that such answers shall be provided in writing to the individual who asked the question within 2 working days after the Authority meeting or Committee. Members will be provided with a copy of the written answer when minutes of the meeting/committee are published.
- 3.1.3 Adding exclusions to the current PQT Scheme – It is proposed that to add greater clarity to the existing Scheme by setting out a number of further exclusions to the Scheme which are not currently expressed within the text.

Background papers: Nil

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Broads Plan Objectives: None
Appendix: APPENDIX 1 – Public Question Time Scheme of Operation
(with tracked changes)

Public Question Time Scheme of Operation

A member or members of the public may ask a question, ~~present a petition or make a statement~~ on any matter which relates to the business of the Broads Authority or any of its committees. Please note that this Scheme of Operation is not applicable for Planning Committee meetings. A separate scheme is open to the public for Planning Committee meetings, and applicants and objectors to development proposals may speak to the Committee under the Public Speaking at Planning Committee arrangements.

Twenty minutes are allowed at the beginning of Authority and Committee meetings (other than the Planning Committee) for dealing with public questions, ~~petitions and statements~~.

If you would like to submit a question, ~~petition or statement~~, written notice of at least four working days should be given to the Chief Executive providing the subject matter and the address and contact number of the person asking the question, ~~presenting the petition or making the statement~~.

~~Petitions should include the nature and object of the petition. If a person wants to make a statement in support of or as background for their question or petition, this statement should be included.~~

~~The maximum time allowed for a statement will be five minutes.~~

Any questions, ~~petitions or statements~~ deemed by the Chief Executive (in consultation with the Chairman of the Authority) to be vexatious, defamatory or which relate to a specific officer or member will not be included and the member of the public will be informed. The guidance provided by the Information Commissioner's Office concerning vexatious requests in relation to the Freedom of Information Act will be used to determine whether a question, ~~petition or statement~~ is deemed to be vexatious. In consultation with the person asking the question, the Chief Executive (following consultation with the Chairman of the Authority) may edit a question ~~or statement~~ to summarise the content or remove defamatory remarks.

No question relating to an individual recipient of services will be allowed, as appropriate alternative channels exist for such inquiries.

The opportunity to ask questions under this Scheme does not apply to staff or their representatives, since other mechanisms are available.

No questions will be accepted that relate to matters which would normally be dealt with in private session because they relate to exempt information, for example:-

- Legal action;
- Financial and business affairs of other organisations;
- Individual members of staff;
- Trade Union negotiations;

What happens in the meetings?

The Chairman will invite the questioner to read his/her question ~~and, where included within the written notice, allow them to make a statement explaining it.~~ A prepared response will be spoken read out by the Chairman.

The questioner may be allowed to ask a supplementary question which may be answered by the Chairman or an officer if the necessary information is available. If not, a written answer will be provided within 20 working days.

~~Following questions, the Chairman will invite members of the public to deliver their petitions and, where included within the written notice, allow them to make a statement. Following delivery of petitions, the Chairman will invite statements to be read.~~

Except at the discretion of the Chairman there will be no debate during Public Question Time on question(s) and answer(s) provided, ~~or petitions and statements presented.~~ However, if members of the meeting so decide, by way of a motion passed in accordance with this Authority's Standing Orders, it may be agreed to refer the matter to the next appropriate meeting and request an officer's report.

If a member of the public is not able to attend the meeting to ask a question, ~~present a petition or make a statement, these will still be represented to the meeting by the Chairman, together with the responses in the case of questions~~ a response will be provided in writing to the individual who asked the question within 2 working days after the Authority or Committee meeting.

A record of questions and their replies, ~~petitions delivered and statements made~~ is recorded in the formal minutes of the meeting.