

Report to Constitutional Affairs Scrutiny Standing Panel

Date of meeting: 20 February 2006

Subject: Council Meetings – Review Of Future Role

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Recommendation:

(1) That members consider the various options (a) – (h) below for enhancing the role of Council and determine which of the options should be recommended for implementation: and

(2) That in accordance with the options agreed as per (1) above appropriate amendments be made to the sections within the Constitution in respect of Terms of Reference and Rules of Procedure for Full Council Meetings

Report

1. (Head of Research and Democratic Services) Following the introduction of revised political decision-making arrangements and adoption of a new Constitution, revised Terms of Reference for the Full Council were agreed.
2. When reviewing constitutional matters, at its meeting on 25 November 2003, the Overview and Scrutiny Co-ordinating Group noted that the volume of business now being referred to the Council from Cabinet was more limited. In the early stages of drafting the Constitution, it was acknowledged that a new role should be developed for the Council.
3. Since political modernisation, debates at Council meetings have concentrated on referred items, appointments to outside bodies and Committees, and to motions and questions. It is recognised that Council meetings may not be achieving Members' aspirations for providing a major forum for debates of interest to the local community.
4. During the 2004/05 Council Year, the then Policy Working Group began a review of the types of item being considered and determined at Council meetings and the options for enhancing debate. The work on the review was continued by this Panel as it fell within its purview under the revised arrangements which came into effect from the commencement of the 2005/06 Council year.
5. A number of visits to other local authority Council meetings having been undertaken and the comprehensive review complete, the Panel, at its meeting on 5 January 2006, identified a number of additional items that might be appropriate for discussion and determination by the Full Council itself, and identified other potential revisions to the Terms of Reference it felt would enhance debate and encourage greater public interest.
6. Further information on each of these aspects is set out below. Members are now asked to assess each of these potential changes and, accordingly, recommend the appropriate revisions to the Terms of Reference in relation to debates at Full Council meetings.

(a) 'State of the District Debates'

7. Academics and commentators on local government have taken the opportunity presented by the requirements in respect of the new roles for council meetings to highlight concerns about the council meeting being a sterile place, which does not engage local people. It has been suggested that, when moving to new arrangements, authorities should take the opportunity to reinvigorate the public debate at council meetings and realise the potential of community leadership that the council meeting has.

In his paper on the role of the council meeting, Professor Stewart suggests:

'One possibility is that every year the Council hold a state of the district debate to focus on the key issues faced not by the authority, but by the area and the communities within. Such a debate would symbolise the outward looking council and could involve, as part of the meeting, the representatives of other stakeholders and the public generally. Such a meeting could be part of the community planning process'.

8. A number of local authorities have taken the opportunity to introduce the concept of 'State of the District' debates within their Terms of Reference for Full Council meetings. Having seen the reports on the Council meetings at Breckland and Fenland, Members of the Panel felt that the introduction of this type of debate at our own Council meetings might enhance debate and engagement with local people.

9. The nature of this item takes a number of different forms. For instance, at a recent meeting, at Fenland, this consisted of a DVD and accompanying presentation from the Leader of Council about the Council's achievements/failings during the year and a subsequent debate open to all Councillors. At Breckland, the 'State of the District' debate has been integrated into the consultation arrangements as part of the BV/Council Plan process. Other local authorities which have held this type of debate include Arun, Ashfield, Rother, Salisbury and Welwyn Hatfield. Members might like to visit the websites of these local authorities to discover more about how they have organised this item and conducted debate.

10. Despite the variety in approaches, it is possible to devise wording in the Council's Terms of Reference, which provide the flexibility to ensure that the inclusion of such an item is put to good effect. Most of the aforementioned local authorities have adopted the following suggested model or similar:

(i) Calling of debate

11. The Leader will call a State of the District debate annually on a date and in a form to be agreed with the Chairman.

(ii) Form of debate

12. The Leader will decide the form of debate, with the aim of enabling the widest possible public involvement and publicity. This may include holding workshops and other events prior to or during the State of the District debate.

(iii) Results of debate

13. The results of the debate will be disseminated as widely as possible within the community and to agencies and organisations in the area; and considered by the Leader in proposing the budget and policy framework to the Council for the coming year.

(b) Single Issue Council Meetings, Council in Committee, Opposition Days Council in 'Seminar'.

14. These are a number of similar initiatives, which really amount to 'variations on a theme'.

15. Local authorities such as Carrick, Daventry, Thanet and Kirklees have held single-issue Council meetings to debate a major policy problem or proposals. Those that have adopted this approach have sometimes also involved representatives from a range of agencies, organisations and partnership bodies so that the Council meeting resembles more of a public forum than a formal decision-making body. Others such as Harrogate have held informal single-issue sessions before the full Council has started, as a way of avoiding complications with standing orders. Recent issues where this approach could have been used in this district might, for example, have included the introduction of 'wheelie bins' or development proposals in the area.

16. The 'Council in Committee', has been adopted in authorities such as Wakefield, where the Council has met, for example, to consider the development of the Local Strategic Partnership. Such meetings tend to be deliberative, exploring some policy problem or proposal. An alternative use of the 'Council in Committee' concept is that akin to the passage of legislation through Parliament whereby there is a first, second and final reading of the main plans to be adopted by the Council with, say, in-depth debate about main issues at the second-reading stage. Another variation, and one used for example by Breckland Council, is to have debates dedicated to the issues affecting a particular town or parish in the district. Another option is 'Opposition Days' where a debate is held on the subject chosen by one of the minority groups.

17. In Barnsley, the constitution provides for a forum that promotes the flow of information and debate between the executive and non-executive councillors. This is the 'Council meeting in Seminar'. Its purpose is

18. 'To exercise the functions of the Council in ensuring that meaningful debate and a hearing have taken place as part of an inclusive process towards development on such issues that are part of the Council's policy framework'. (Barnsley Constitution, p 53)

19. The 'Council in Seminar' meets once a month and is open to the public. Each meeting is dedicated exclusively to one topic, decided by non-executive Councillors requests. Meetings also include provision for participation by co-opted members of scrutiny commissions, who also find it useful to be briefed on wider issues.

20. The 'Council in Seminar' was developed in response to non-executive councillors' complaints that they felt out of touch as a result of the new constitutional arrangements. Councillors now have the opportunity to discuss topics of interest and receive replies to their questions. Its main value is to enable Councillors to be briefed on issues and to keep abreast of wider developments. The authority is also proposing to change the format of the meeting so that it becomes more interactive.

21. An agreement to use one, some or even all of these initiatives would not require any revisions to the existing Terms of Reference. They already provide for the approval of, adoption of and revisions to the policy framework and the adoption of specific plans. There is also provision for extraordinary meetings of Council to be held when required. All that is really needed is a clear statement from Members to the effect that there is a commitment to any of the initiatives regarded as suitable and an established procedure where required.

22. One issue that Members need to consider is how to obtain clearly defined, effective recommendations and positive outcomes arising as a result of any procedural changes. In that regard, further information is being sought from some of the local authorities that have implemented these new initiatives on how they have sought to ensure that their Council meetings are not only enhanced but also more productive.

(c) Individual Presentations

23. Again the current Terms of Reference provide for this, as will be noted in 4.01 (p), (q) and (r) of the constitution. What may be required is a strengthening of the provisions to

positively encourage presentations and community engagement. Members will have noted that many of the Councils visited made use of this facility (see various reports including Bracknell Forest, Braintree and North Hertfordshire Councils). Possibilities include the addition of a section on 'Receipt of Presentations from Partner and External Organisations on topics having a significant impact on the District'. Another alternative or additional option would be to adopt a scheme of public participation along the lines of that adopted by Bracknell Forest (See Appendix 1 attached).

(d) Reports from the Leader and Individual Portfolio Holders/Reports from Overview and Scrutiny/Questions by Members.

24. Currently the Council considers reports from the Cabinet, presented by the Leader, which identify only those items, which have associated recommendations requiring specific approval by the Council. As a means of encouraging further community interest and challenging the 'Executive' it is suggested that, rather than there being consideration of a report from Cabinet, the Leader and each Portfolio Holder submit a report to each Council meeting which includes not only specific recommendations for approval (including those from Cabinet) but details of progress on all current issues falling within their area of responsibility.

25. The wording on the agenda could be in the form 'To Receive Progress Reports from the following Portfolio Holders'. There should also be a provision for Members to ask detailed questions of the Portfolio Holders with the incorporation of a specific section within the Terms of Reference.

26. Several of the local authority Council meetings visited received regular reports from Overview and Scrutiny summarising progress in respect of the ongoing work. Inclusion of a standing item on each Council agenda would also re-emphasise the increasingly significant role of Overview and Scrutiny. At Epping Forest District Council this could be in the form of 'Receipt of Progress Reports from the Chairman of Overview and Scrutiny Co-ordinating Committee'. Again it would be appropriate for there to be provision for Members to ask detailed questions of the Chairman of the Co-ordinating Committee or individual Scrutiny Panels as appropriate.

27. At present there is a general provision within Council Procedure Rules (Article E of the Constitution) for questions to be asked of the Leader or Chairman of a Committee. Accordingly, it is suggested that this provision be strengthened with the addition of wording along the following lines:

- Every Member of the Cabinet shall present a report to each ordinary meeting of the Council on matters of interest for which they have responsibility that have arisen since the last ordinary meeting of the Council.
- A Member of the Council may, without first giving notice, ask any Member of the Cabinet questions about any matter which falls within the portfolio of that Cabinet member.
- The Council will set aside a maximum of 40 minutes for members to put questions under 2 above.
- The Chairman of the Overview and Scrutiny Co-ordinating Committee shall present a report to each ordinary meeting of the Council on the various issues currently being reviewed by the Committee and Scrutiny Panels.
- A Member of the Council may, without first giving notice, ask the Chairman of the Overview and Scrutiny Committee (or the Chairman of the appropriate Scrutiny Panel) about any matter currently under review.
- The Council will set aside a maximum of 20 minutes for Members to put questions under 5 above.

28. Some local authorities (Fenland being an example) identify a specific provision for the Leader of the main opposition group (or his/her nominated representative) to put questions to the Leader subject to a maximum of, say, 20 minutes, being set aside for this item. Although perhaps not appropriate at present, this is an aspect which could be looked at again should the political balance of the District Council change.

29. There is also provision within the existing rules for Members to ask the Chairman or a member of the Executive a question on any matter in relation to which the Council has powers or duties, which affects the Epping Forest District. Whilst it is not considered necessary to amend this provision, it may be an opportune moment for Members to consider ways in which better use could be made of it.

(e) Questions by the Public

30. Within the Constitution (Article E Paragraph 9) there is specific provision for the receipt and consideration of questions from the public at Council meetings. Like many other local authorities, Epping Forest Council has difficulties encouraging public participation through its questions procedure. One of the few local authorities in the region which seems to have a successful questions procedure in terms of encouraging public involvement is East Cambridgeshire. As such it may well be appropriate to make comparisons between our provisions and those of East Cambridgeshire (see Appendices 2 and 3 attached) to identify those aspects which may give rise to encouraging greater public involvement.

(f) Routine issues Notified by Cabinet, Chairman's Announcements and Presentation of Awards to Individuals

31. These items were identified by Members at the last Panel meeting with a view to a further assessment as to their suitability for inclusion on the Agenda for Council meetings.

32. If a decision were taken to replace the item on 'Reports from Cabinet' with 'Reports of the Leader and Portfolio Holders' there would no longer be any routine items submitted in accordance with (f) above. Details of these and issues currently reported under 'Chairman's Announcements' could be set out in the weekly Members' Bulletin.

33. The presentation of awards to individuals requires separate discussion. Many might regard these to be an appropriate use of the time set aside for Council meetings and they certainly provide a reflection of the Council's willingness to engage with the public and to highlight in a timely way, excellence in all its forms. If such awards are not to take place at Council meetings, an alternative, suitable forum needs to be identified.

Scheme for Public Participation at Meetings of the Council

1. Why have a scheme?

The Council is committed to encouraging greater public participation in its work. This scheme will give members of the public the opportunity to tell Councillors directly at meetings of the Council about the things that concern them.

All issues raised by the public under this scheme will be given careful consideration.

While it will not be possible in every case to resolve an issue to the satisfaction of everyone, the Council will ensure that the issue is considered fairly.

2. What can the public do?

The public may use this scheme to make a submission to Councillors at a meeting of the Council in one of four ways:

(a) Petition

To present a petition at a Council meeting in order to request the Council to deal with any particular issue within the community. There is no minimum number of signatures.

(b) Question

To ask a question at a Council meeting. This may be addressed to the Mayor, a member of the executive or a chairman of a committee or sub committee. The question must be about a Council service, or a topic relevant to the Council.

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 original question. A supplementary question must arise directly out of the original question or the reply. The Mayor may reject a supplementary question on any of the grounds in paragraph 4 below.

(c) Statement

To make a Statement to a Council meeting about a Council service, about something the Council has or has not done, or about a matter of local interest or concern.

(d) Deputation

To present to a Council meeting a Deputation calling for action by the Council, registering a view about something the Council has or has not done, or about a matter of community interest.

A Deputation may only be made on behalf of an organised group of residents or other interested parties.

3. Relevance to the Council

The content of any form of submission must be about something that is within the Council's responsibilities. This includes matters of interest to the Council as a community leader.

4. What falls outside the scheme?

Some matters fall outside the scope of this scheme. These are:

- Individual's circumstances where it would not be appropriate for details to be aired in open session;
- Applications for legal consents where alternative procedures exist for the public to offer views;
- Planning and licensing applications; and
- Other proposals of any kind which have been formally published and where specific arrangements are made for the public to express their views.

The Chief Executive may also reject a submission if it:

- is not about a matter for which the local authority has a responsibility or which affects the Borough;
- is defamatory, frivolous or offensive;
- is substantially the same as a submission which has been put at a meeting of the Council in the past six months;
- Is about the subject of an appeal or review procedure that has not yet been concluded. or
- requires the disclosure of confidential or exempt information.

5. Number of submissions

At any one meeting no person may make more than one submission and no more than two submissions may be made on behalf of one organisation or group.

6. Notice of submission

A submission may only be made if notice has been given by delivering it in writing or by electronic mail to the Head of Democratic and Support Services no fewer than eight working days before the day of the Council meeting. A question must be set out in full and a written summary of all points to be raised in any other form of submission must be provided. This will ensure that time is available to prepare advice for the meeting, an individual Councillor or the person making the submission. Each submission must give the name and address of the person who will make the submission at the meeting and, in the case of questions, must include the name, or office, of the member of the Council to whom it is to be put.

7. Advice on Content

The Head of Democratic and Support Services will be available to give advice to the public about the content of their submissions and the process. The Head of Democratic and Support Services will also give advice to the Mayor and members on such matters as necessary.

8. Who can use the Scheme?

The scheme is open to any resident in the area covered by the Authority. The scheme is also open to a representative of a business operating in the area of the Authority.

The scheme is not open to employees of the Council wishing to make representations in that capacity. Employees' rights as private citizens to use this scheme are preserved.

Only one person may speak about each submission at the meeting. In the case of a Statement or Deputation on behalf of more than one person, the notice should identify others who are party to the submission.

9. At which meetings may submissions be made?

Any submission under this scheme may be made at any ordinary meeting of the Council other than the Annual Meeting.

10. Support for the Public

The prospect of speaking at a formal meeting of the Council may be daunting for the public. Every help and support will be made available to those who wish to use this scheme. The Councillors and officers present will treat members of the public with courtesy and respect.

11. Time Limits

No individual submission will be allowed more than three minutes at a meeting. This rule will be strictly enforced in fairness to all those who those who wish to address the meeting.

The overall time allowed at a meeting to hear and deal with submissions from the public will be decided by the Mayor or by the meeting itself but will not normally exceed thirty minutes. This will take into account the issues to be raised in the submissions, the number of submissions and the other business of the meeting. Submissions will be heard in the order notice of them was received, except that the Mayor may group together similar matters. Where there is insufficient time to deal with all submissions received, the Mayor will decide which submissions should be dealt with at the meeting. Any submissions not dealt with will be formally received by the meeting and a written response will be given as soon as possible after the meeting.

12. Balance

The Mayor will ensure that those who are making submissions on opposite points of view on the same subject are treated equally as far as possible.

13. How will submissions be dealt with at the meeting?

Details of all submissions will be printed on the agenda for the relevant meeting. If the subject matter of the submission is already on the agenda for the meeting, the meeting will be prepared to defer consideration of the submission until that item on the agenda is reached.

If necessary and convenient to the other business, the Mayor or the meeting itself will agree to advance that item in the order or proceedings.

The Mayor will invite the member of the public to address the meeting for up to three minutes. If the submission is in the form of a question, the Mayor will invite the questioner to put the question to the member named in the notice. If a person who has made a submission is unable to be present, they may ask the Mayor to present the submission to the Council on their behalf. In the case of a question, the Mayor may ask the question on the questioner's behalf or indicate that a written reply will be given. In any case the Mayor may decide, in the absence of the person making the submission, that the submission will not be dealt with.

14. Councillors' questions on submissions

Councillors will be allowed up to five minutes to ask solely factual questions of the person making each submission. This is included in the thirty minutes normally set aside for dealing with submissions.

15. Written answers to questions

Any question which cannot be dealt with during the allocated time, either because of lack of time or because of the non-attendance of the member to whom it was to be put, will be dealt with by a written answer. Written answers shall be sent to the questioner and copied to all members of the Council.

16. Action the meeting may take

In the case of a question, the Councillor named in the notice will reply, or in his or her absence the Mayor may ask another councillor to reply. The reply will count against the thirty minute time limit. A written reply may be given where this is more convenient and can be circulated at the meeting.

Unless the submission relates directly to an issue to be dealt with at the meeting, petitions will normally be referred for consideration by the same or another body within the Authority on a report from Officers.

In the case of Statements and Deputations, the meeting will decide on the most appropriate course of action, which will be either to note the submission or to request an Officer report to a subsequent meeting of the executive or appropriate committee or sub committee on the issue raised.

Any member may move that a matter raised by a submission be referred to the executive or the appropriate committee or sub-committee. Once seconded, such a motion will be voted on without discussion.

17. General Information

This scheme will be reviewed and adjustments made from time to time.

The public are welcome to attend Council, Executive, Committee and Sub Committee meetings where open business is discussed but may not speak to the meeting. All such meetings will be held in accommodation that has reasonable access and seating for the public. A summary of public rights of access to information is contained in the Access to Information Rules available for inspection at the Council Offices, Easthampstead House, Town Square, Bracknell.

Appendix 2 (EFDC Constitution)

QUESTIONS BY THE PUBLIC

9.1 General

Members of the public may ask questions of members of the Executive at ordinary meetings of the Council.

9.2 Order of Questions

Questions will be asked in the order in which notice of them was received, except that the Chairman may group together similar questions.

9.3 Notice of Questions

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Chief Executive no later than midday seven days before the day of the meeting. Each question must give the name and address of the questioner and must name the member of the Council to whom it is to be put.

9.4 Number of Questions

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

9.5 Scope of Questions

The Chief Executive may reject a question if it:

- (a) is not about a matter for which the local authority has a responsibility or which affects the District;
- (b) is defamatory, frivolous or offensive;
- (c) is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- (d) requires the disclosure of confidential or exempt information.

9.6 Record of Questions

The Chief Executive will enter each question in a book open to public inspection and will immediately send a copy of the question to the member to whom it is to be put. Rejected questions will include reasons for rejection. Copies of all questions will be circulated to all members on the agenda for the relevant Council meeting which will be made available to the public attending the meeting.

9.7 Asking the Question at the Meeting

The Chairman will invite the questioner to put the question to the member named in the notice. If a questioner who has submitted a written question is unable to be present, they may ask the Chairman to put the question on their behalf. The Chairman may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with.

9.8 Supplemental Question

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 original question. A supplementary question must arise directly out of the original question or the reply and must be only for purposes of elucidation. The Chairman may reject a supplementary question on any of the grounds in Rule 9.5 above.

9.9 Written Answers

Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the member to whom it was to be put, will be dealt with by a written answer.

9.10 Reference of Question to the Executive or a Committee/Sub-Committee

Unless the Chairman decides otherwise, no discussion will take place on any question, but any member may move that a matter raised by a question be referred to the Executive. Once seconded, such a motion will be voted on without discussion.

Appendix 3 (EAST CAMBRIDGESHIRE DISTRICT COUNCIL – CONSTITUTION)

PART 10 PUBLIC PARTICIPATION SCHEMES

PUBLIC QUESTION TIMES

PETITIONS

PUBLIC SPEAKING SCHEMES

- LICENSING COMMITTEE
- PLANNING COMMITTEE
- POLICY AND RESOURCES COMMITTEE

PUBLIC QUESTION TIMES

All meetings, with the exception of the Appeals and Complaints Committee, Planning Committee and Licensing Committee have Public Question Time.

This allows members of the public to ask questions at the Committee meeting which is done by filling in a question form and placing it in the public question box (both available at the meeting).

A total of fifteen minutes at the start of the relevant meetings is set aside to answer questions.

This does not form part of the formal business (in that reports and decisions cannot be immediately taken).

Questions are drawn out one at a time on a first-come- first-served basis with any question not answered at the end of the fifteen minutes receiving a written reply.

MAKING YOUR PETITION WORK

(East Cambridgeshire District Council's adopted policy on petitions)

The Council is pleased to accept petitions. If you want to send a petition to the Council, this leaflet tells you how to do it.

1. What should the petition contain?

(a) Make sure it is clear it is a petition. So that people can be sure what they are signing, the petition should say simply and clearly what it is about and to whom it is addressed. Make sure it is clear - it may be helpful to get someone else to read it.

(b) So that the Council can be sure the petition reflects **local** opinion relevant to its subject, the petition should show the name (in block capitals), signature and address of each person signing.

2. What sort of petition will the Council not consider?

(a) One which does not relate to areas of the Council's work or of particular concern to the Council. We will certainly not consider petitions which are vague or ambiguous, are abusive or defamatory or which relate to matters already properly decided, whether by the Council or others.

(b) It should be signed by at least 25 residents of the District. They should also put their names in block capitals and write their addresses.

3. How do I get my petition to the Council?

You can send it to the Council offices (addressed to the Customer Services Section) or you can hand it to your District Councillor. The names and addresses of all District Councillors are available by asking at Reception at the Council offices or telephoning our Customer Services Section.

4. How do I ensure my petition is considered by Councillors?

We will put your petition to the next Council meeting
PROVIDED IT IS RECEIVED BY OUR CUSTOMER SERVICES SECTION BY 12.00 NOON
ON THE FRIDAY BEFORE THAT MEETING.

A list of dates of Council meetings can be obtained from our Customer Services Section.

If your petition is relevant to a specific planning application or to a decision the Council is intending to make BEFORE the next Council meeting, it will be put to the Committee or Panel considered most appropriate by the Chief Executive in consultation with Chairman of Council you will be notified which this is and when it meets.

5. Can I speak to my petition when the issue is discussed?

Yes. There will be an opportunity for 1 person to make a short (no more than 3 minutes) presentation on the petition to the meeting which considers it.

After you have spoken, the Chairman will ask you if you are prepared to answer questions and if you are, a number of Councillors may ask questions of clarification.

Please note that the law requires that the public leave Council and committee meetings when confidential items are discussed.

The Chairman will tell you if that arises.

Please let us know when sending in your petition whether you would like the opportunity to speak and who will be speaking for you.

6. How will I know what was the result of my petition?

If you give us a contact name and address when you send your petition in, we will let you know what the outcome was. We will, of course, not be able to let each individual signatory know.

7. If I need any more advice, where can I get it?

Ring or write to the Council's Customer Service Section or your local District Councillor.

Customer Services Tel: 01353 616200/616364/616366

(Adopted by East Cambridgeshire District Council on 29 June 1999)

Public Speaking at Licensing Committee

You have the right to speak at the Council's Licensing Committees

This leaflet tells you how the scheme operates

The District Council is committed to extending public involvement in the Licensing process. There are already a number of consultation and procedures for some Licensing applications. Now you can speak directly to Councillors at Licensing Committee Meetings.

This leaflet explains the Council's public participation policy for supporters, objectors and local councils at meetings. It tries to answer some of the questions you may have about the procedures and what to expect at the meeting. It is based on simple rules which the Council has formulated to make the system as fair and easy to operate as possible, so please read all of the leaflet.

How does the Licensing Committee work?

Not all applications are determined by the Licensing Committee. The majority of straightforward applications are determined by officers under the Council's delegation scheme.

You may wish to check with the case officer to see whether the application in which you are interested is to be considered by the Licensing Committee.

Do I need to attend the meeting to make my comments known to the Committee?

No - your written comments will be considered by the committee anyway. As the meetings are open to the public you may, if you wish, attend the meeting just to see what happens.

How can I find out when an application will be considered?

Licensing Committees are held as necessary. The Committee Agenda is published not less than 5 days before the meeting. If you wish to speak it is your responsibility to check whether an item is on the agenda. You can do this by calling our Democratic Services Section. Copies of the agenda are also available from main reception and public libraries.

How do I arrange to speak at the meeting?

If you want to speak you will need to telephone the Democratic Services Section on (01353) 616281/616282/616392. Please note that phoning this number is the only way to register a request to speak. You must call by no later than 2pm on the day before the meeting. Registration will be on a first come first serve basis. This will mean that, for each application, the name of the first person to call as an objector or as a supporter will be noted and any subsequent callers will be given their details to organise between themselves how the groups will use their three minute slot.

As we have a public speaking scheme for Planning Committee too, please make sure you explain when you ring that you wish to speak at the **Licensing** Committee.

What is the order of speaking on each application?

One of the officers will introduce the item. The meeting will then move out of formal session and members of the public can speak in the following order:

- objectors (3 minutes total)
- Applicant/agent or supporters (3 minutes total)
- Statutory Consultees (3 minutes total)

You will be asked by the Chairman of the Licensing Committee to move to a designated seat before you speak. The Chairman will strictly apply the three-minute limit and you will be asked to go back to your seat in the public gallery after that time.

The meeting will then resume in formal session. The officer may add extra comments and then there will be an opportunity for debate by the Committee. The decision is then made.

Can I ask questions of other speakers?

No - you should seek answers to your questions before the meeting and to state your case on the basis of information given to you. You must not interrupt other speakers or the Committee debate.

Can I use slides or overhead transparencies or circulate supporting documents?

No - slides or overhead transparencies are not allowed. If you wish to circulate supporting documents, you should do this before the date of the committee. A list of Councillors' names and addresses is available from Customer Services on (01353) 616200/616364/616366. Please do not send documents to the Council for this purpose.

What can I say at the meeting?

You are advised to make a statement of fact or opinion, but you are likely to have the greatest impact if you:

- are brief and to the point
- limit your views to the application
- confine yourself to relevant issues.

What issues are usually irrelevant in considering proposals?

They will vary from case to case but the following may be considered irrelevant:-

- Matters covered by other laws
- Boundary or area disputes
- The applicants' morals or motives
- Effect on value of property
- Personal matters

You should particularly note that you should not make derogatory or defamatory remarks about other people. Any such comments leave you open to legal action.

When and where are the Committee meetings held?

Licensing Committee meetings are held as necessary, at the Council Offices at The Grange in Ely.

The Role of District Councillors:-

Councillors are elected to represent you on the District Council. You may like to contact your councillor to discuss the application. However, he or she will not be able to commit him or herself to a decision before hearing all the evidence and debate at the relevant meeting. They will need to take into account the law as well as public opinion.

Who do I ask if I have any other queries?

If you have any questions not answered by this leaflet, you are welcome to contact:-

Democratic Services,
East Cambridgeshire District Council
The Grange
Nutholt Lane
Ely
Cambs
CB7 4PL
Tel: (01353) 616281/616282/616392

EAST CAMBRIDGESHIRE DISTRICT COUNCIL (Leaflet 2)

Public Speaking on Planning Applications.

You have the right to speak at the Council's Planning Committees.

This leaflet tells you how the scheme operates

The District Council is committed to extending public involvement in the planning process. There are already extensive consultation and neighbour notification procedures for all planning applications. Now you can speak directly to councillors at Planning Committee Meetings.

This leaflet explains the Council's public participation policy for supporters, objectors and local councils at meetings. It tries to answer some of the questions you may have about the procedures and what to expect at the meeting. It is based on simple rules which the Council has formulated to make the system as fair and easy to operate as possible, so please read all of the leaflet.

How does the Planning Committee work?

Not all applications are determined by the Planning Committee. The majority of straight forward planning applications where no substantial objections are received are determined by senior officers under the Council's delegation scheme. You may wish to check with the case officer to see whether the application in which you are interested is to be considered by the Planning Committee.

Do I need to attend the meeting to make my comments known to the Committee?

No - your written comments will be considered by the committee anyway. As the meetings are open to the public you may, if you wish, attend the meeting just to see what happens

How can I find out when an application will be considered?

A Planning Committee is held on the first Wednesday of every month. The Planning Committee Agenda is published at least 5 days before the meeting. If you wish to speak it is **your** responsibility to check whether an item is on the agenda. You can do this by calling the Planning Case officer or Committee Services. Copies of the agenda are also available from main reception and public libraries.

How do I arrange to speak at the meeting?

If you want to speak you will need to telephone the Committee Services officer on 01353 616392. **Please note that phoning this number is the only way to register a request to speak.** You must call by no later than 5pm on the Tuesday before the meeting. Registration will be on a first come first served basis. This will mean that, for each application, the name of the first person to call as an objector or as a supporter will be noted and any subsequent callers will be given their details to organise between themselves how their five minute slot will be used.

What is the order of speaking on each application?

One of the planning officers will introduce the item. The meeting will then move out of formal session and members of the public can speak in the following order:-

- objectors (5 minutes)
- applicant/agent or supporters (5 minutes)
- local Parish/Town Council (5 minutes)

You will be asked by the Chairman of the Planning Committee to move to a designated seat before you speak. The five minute limit will be strictly applied by the Chairman and you will be asked to go back to your seat in the public gallery after that time. The meeting will then resume in formal session. The planning officer may add extra comments and then there will be an opportunity for debate by the Committee. The decision is then made.

Can I ask questions of other speakers?

No - generally, it would be preferable for you to seek answers to your questions before the meeting and to state your case on the basis of information given to you. You must not interrupt other speakers or the Committee debate.

Can I use slides or overhead transparencies or circulate supporting documents?

No - slides or overhead transparencies are not allowed. If you wish to circulate supporting documents, this must be done before the date of the committee. A list of Councillors name and addresses is available from Customer Services on 01353 616315. Please do not send documents to the Council for this purpose.

What can I say at the meeting?

You are advised to make a statement of fact or opinion, but you are likely to have the greatest impact if you:

- are brief and to the point
- limit your views to the planning application
- confine yourself to relevant planning issues.

What are the relevant issues in considering proposals?

The relevant issues will vary with the nature of the proposal and the site, but may include the following:-

- Structure and Local Plan policies
- Government planning guidance
- Planning law and previous decisions
- Highway safety and traffic
- Noise, disturbance, smells
- Residential amenity
- Design appearance and layout
- Impact on trees, listed buildings and conservation areas.

What issues are usually irrelevant in considering proposals?

They will vary from case to case, but the following are usually irrelevant:-

- Matters covered by other laws
- Boundary or area disputes
- The developer's morals or motives
- Suspected future development
- Loss of view over other people's land
- Effect on value of property
- Personal matters

You should particularly note that you should not make derogatory or defamatory remarks about other people. Any such comments leave you open to legal action.

When and where are the Committee meetings held?

Planning Committee meetings are held on the first Wednesday of every month. They are held in the Council Chamber at The Grange in Ely and the meetings start at 2pm.

How are Parish/town councils involved?

Parish/town councils are consulted on all planning applications and copies of planning applications are usually available to view with the local councils as well as at the District Council offices. For details of your local Council clerk please contact Customer Services on 01353 616315.

The Role of District Councillors:-

Councillors are elected to represent you on the District Council. You may like to contact your councillor to discuss the planning application. However he or she will not be able to commit him or herself to a decision before hearing all the evidence and debate at the relevant planning meeting. They will need to take into account the law and planning guidance as well as public opinion.

Who do I ask if I have any other queries?

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Planning Services
East Cambridgeshire District Council
The Grange
Nutholt lane,
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Cambs CB7 4PL
Tel: 01353 665555