

CYNGOR SIR POWYS COUNTY COUNCIL.

**Democratic Services Committee
29 April, 2019**

REPORT BY: Head of Democratic Services

SUBJECT: Review of Public Participation at Council Meetings

REPORT FOR: Decision

1. Introduction

- 1.1 The Democratic Services Committee [DSC] reviewed the Public Participation at Public meetings at its meeting in January 2019 and agreed to recommend continuation of the Process to Council.
- 1.2 However, prior to the consideration by Council, officers have further reviewed paragraph 1.7.1 "Reasons for rejecting questions", in light of recent questions received.

2 Review of "Reasons for rejecting questions".

- 2.1 Appendix A attached gives details of paragraph 1.7.1 "Reasons for rejecting questions".
- 2.2 At recent Council meetings a number of questions have been received on similar subjects/topics. The receipt of such questions could restrict the subjects/topics considered by Council and not reflect the range of services provided by the Council.
- 2.2 The following amendment to 1.7.1 (iii) is recommended:
(iii) is substantially the same as a question / **issue** which has been considered **at two meetings** of the Council in the past six months (including questions raised by Members and answered).

Recommended to Full Council that:	Reason for Recommendation:
Paragraph 1.7.1 (iii) of the Public Participation at Council meetings is amended as detailed in 2.3 above.	To provide the public with an opportunity to put questions to Council.

Person(s) To Action Decision:	Solicitor to the Council
Date By When Decision To Be Actioned:	

Relevant Policy (ies):			
Within Policy:	Y	Within Budget:	Y
Contact Officer Name:	Tel:	Fax:	Email:
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Extract from Powys County Council – Protocol for Public Participation at Council Meetings [October 2016]

Reasons for rejecting questions

- 1.7.1 The Chair of the Council may reject a question if it:
- (i) is not about a matter for which the County Council has responsibility / powers or duties or which affects the County; and / or
 - (ii) is defamatory, frivolous or offensive; and / or
 - (iii) is substantially the same as a question which has been considered at a meeting of the Council in the past six months (including questions raised by Members and answered); and / or
 - (iv) requires the disclosure of confidential or exempt information; and / or
 - (v) relates to a complaint (complaints should be presented through the Council's complaints procedure); and / or
 - (vi) relates to a matter which is the subject of legal or enforcement proceedings or an appeal to a court or tribunal or to a Government Minister or the National Assembly or an investigation by the Local Government Ombudsman; and / or
 - (vii) relates to a Regulatory Decision or a specific application for permission, a licence, consent, approval or registration, or any enforcement action relating to such a matter; and / or
 - (viii) relates to a decision which has been made by the Council in exercise of its regulatory functions in respect of which there are legal rights of redress; and / or
 - (ix) relates to the activities and aims of a political party or organisation; and / or
 - (x) relates to an individual / group / business or the questioner's own particular circumstances (where the Council's complaints process should be utilised); and / or
 - (xi) relates to the personal circumstances or conduct of any officer and Councillor or conditions of service of individual employees; and / or
 - (xii) is a statement or otherwise and is not a genuine enquiry; and / or
 - (xiii) would require the expenditure of a disproportionate amount of time, money or effort to prepare the answer; and / or
 - (xiv) relates to a local matter that has no wider significance to the County, in which case the question will be forwarded to the local County Councillor.

- 1.7.2 The ruling of the Chair in the above matters shall be final.