

# Chichester District Council

**FULL COUNCIL**

**24 September 2019**

## **Public Question Process**

### **1. Contact**

#### **Report Author**

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### **2. Recommendation**

- 2.1. **That the Councils procedure for public questions be amended as set out in the Appendix to this report.**

### **3. Background**

- 3.1. The Council has always valued public engagement and one of the strongest elements of this is the access given to residents to put their questions to the members at full Council. The procedures for this have not been updated for a very long period of time and following some challenges in managing the process this report suggests some changes to ensure the question time process can operate effectively into the future.

### **4. Amendments to the procedure**

- 4.1. The main elements of the procedure remain unchanged on the whole. Residents continue to have the right to put their questions, and to expect a response, and the whole process will be formally recorded. The exceptions to the question procedure (primarily that a separate system is followed for planning committee) remains unchanged.
- 4.2. Under the existing procedure questions were able to be put up to the day prior to a relevant Council meeting. Members will be aware that questions often require members to obtain officer views and advice on the topic of the question to prepare the member response. Questions submitted so close to the meeting causes great difficulties to officers and members preparing meaningful responses.
- 4.3. To overcome this issue the new procedure recommended sets out those questions should be submitted up to noon on the third working day prior to the meeting. It is hoped that this means responses will be given at the meeting to the questioner, will be more fully considered and researched, and the use of "follow up" responses (or part responses) to such questions will be reduced.
- 4.4. Another issue which has caused some challenges to the Chairmen management of meetings has been very long questions where a significant amount of background information from the perspective of the questioner is set out in the body of the question. These can take up valuable time from the meeting.
- 4.5. To address this issue the draft procedure has been amended to clarify that a long address to the Council might not be accepted and the questioner asked to focus upon the element of their submission which is a question.

4.6. Supplemental to this, it is a matter of general public law that management of the meeting is the responsibility of the Chairman and that the Chairman has wide powers of discretion in how the meeting proceeds. To be entirely transparent the procedure has been amended to state expressly that the Chairman has discretion in controlling the question process.

5. **Alternatives Considered**

5.1. To leave the procedure as it is.

6. **Resource and Legal Implications**

6.1. None other than those set out in the body of this report.

7. **Consultation**

7.1. The proposals have been shared with the Chairmen of the Council committees covered by this procedure.

8. **Community Impact and Corporate Risks**

8.1. None.

9. **Other Implications**

<b>Are there any implications for the following?</b> If you tick "Yes", list your impact assessment as a background paper in paragraph 13 and explain any major risks in paragraph 9		
	Yes	No
<b>Crime and Disorder</b> The Council has a duty "to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area". Do the proposals in the report have any implications for increasing or reducing crime and disorder?		✓
<b>Climate Change and Biodiversity</b> Are there any implications for the mitigation of/adaptation to climate change or biodiversity issues? If in doubt, seek advice from the Environmental Strategy Unit (ESU).		✓
<b>Human Rights and Equality Impact</b> You should complete an Equality Impact Assessment when developing new services, policies or projects or significantly changing existing ones. For more information, see Equalities FAQs and guidance on the intranet or contact Corporate Policy.		✓
<b>Safeguarding and Early Help</b> The Council has a duty to cooperate with others to safeguard children and adults at risk. Do these proposals have any implication for either increasing or reducing the levels of risk to children or adults at risk? The Council has committed to dealing with issues at the earliest opportunity, do these proposals have any implication in reducing or increasing demand on Council services?		✓
<b>General Data Protection Regulations (GDPR)</b> Does the subject of the report have significant implications for processing data likely to		✓

<p>result in a high risk to the rights and freedoms of individuals? Processing that is likely to result in a high risk includes (but is not limited to):</p> <ul style="list-style-type: none"> <li>• systematic and extensive processing activities and where decisions that have legal effects – or similarly significant effects – on individuals.</li> <li>• large scale processing of special categories of data or personal data relation to criminal convictions or offences.</li> <li>• Any larger scale processing of personal data that affects a large number of individuals; and involves a high risk to rights and freedoms eg based on the sensitivity of the processing activity.</li> <li>• large scale, systematic monitoring of public areas (including by CCTV).</li> </ul> <p>Note - If a high risk is identified a Privacy Impact Assessment must be provided to the Data Protection Officer.</p>		
<p><b>Health and Wellbeing</b> The Council has made a commitment to ‘help our communities be healthy and active’. You should consider both the positive and negative impacts of your proposal on the health and wellbeing of communities and individuals living and working in the district. Is your proposal likely to impact positively or negatively on certain groups and their ability to make healthy choices, for example low income families, carers, older people/children and young people. Are there implications that impact on areas of the district differently? eg the rural areas or those wards where health inequalities exist. If in doubt ask for advice from the Health and Wellbeing team.</p>		✓
<p><b>Other</b> (please specify)</p>		✓

## 10. Appendices

10.1. Public Question Time – revised leaflet

## 11. Background Papers

11.1. None.