

## **AGENDA ITEM**

### **REPORT TO POLICE AND CRIME PANEL**

**10 JUNE 2013**

### **REPORT OF DIRECTOR OF LAW AND DEMOCRACY**

## **PUBLIC PARTICIPATION - PUBLIC QUESTIONS**

### **SUMMARY**

This report reminds Members of a process the Panel has agreed for dealing with questions received, on notice, from members of the public.

### **RECOMMENDATION**

1. That the report be noted.
2. That Public Questions becomes a standing item on the Panel's agenda.

### **DETAIL**

1. At its meeting held on 7 December 2012 the Panel agreed a process through which members of the public could formally ask questions, including questions on notice, at meetings of the Panel.
2. The process agreed is attached as an **appendix**.
3. It is suggested that a standing report, similar to this one, be submitted to each ordinary meeting of the Panel regardless of whether a question on notice has been received. This will highlight the process to members of the public, accessing copies of the agenda and will act as a guide for them, should they wish to submit a question to a future meeting. It will also serve as a reminder to the Panel of the process it has agreed.
4. Should questions on notice be received they would be introduced to the Panel as part of this item.
5. Members should note that no public questions on notice have been submitted for this meeting.

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## APPENDIX

### Public Participation

71 Members of the public will be able to speak and ask questions at meetings of the Panel under the direction of the Chair, save where exempt or confidential information is to be discussed and the public are excluded from the meeting either for the whole or part of the business in accordance with the 1972 Act, or any provisions of the Act or related legislation.

### Questions

72. In particular, members of the public will be able to ask questions at meetings of the Panel, at the discretion of the Chair, where those questions relate to items identified on the Panel's agenda.

73. Members of the public will also be able to ask questions on notice, at ordinary meetings of the Panel, however, the Monitoring Officer of the Council may reject a question if it:

- i. is not about a matter for which the Panel has a responsibility
- ii. is defamatory (or potentially so), or is frivolous or offensive;
- iii. is substantially the same as a question which has been put at a meeting of the Panel in the past six months; or
- iv. requires the disclosure of confidential or exempt information

### Notice

74. A question must be in the form of a question, and not a statement, and it may only be asked if notice has been given by delivering it in writing or by electronic mail to the Council's Monitoring Officer at least seven clear working days before the day of the meeting, unless the Chair exercises his/her discretion and agrees that a question or questions may be asked without the required period of notice.

### Allocated Time

75. The total time allocated to public questions, submitted on notice at a Panel meeting will be 15 minutes.

### Order of Questions

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

### Number of Questions

77. 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.

### Asking the Question at the Meeting

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

### **Supplementary Question**

79. A questioner who has put a question in person, or a representative of a questioner asking a question on the questioner's behalf, may also put one supplementary question, without notice. A supplementary question must arise directly out of, and be specifically related to the original question or the reply. The Chair may reject a supplementary question on any of the grounds in Rule 73.

### **Time Limit on Questions and Answers**

80. One minute will be allowed in respect of each of the following:-
1. the asking of the original question;
  2. the response to the question;
  3. any supplementary question;
  4. the response to any supplementary question

### **Written Answers**

81. 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, or for any other reasons, will be dealt with by a written answer.

### **Referral of Question/Issue to the Commissioner**

82. Questions received on notice, or issues raised as part of the discussion of a question, including any supplementary question may be referred to the Commissioner if considered appropriate by the Council's Monitoring Officer, in consultation with the Chair, or by the Panel.