

STANDARDS COMMITTEE

17 May 2004

MONITORING OF COMMITTEE PROCEEDINGS BY INDEPENDENT MEMBERS

REPORT OF CITY SECRETARY AND SOLICITOR

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RECENT REFERENCES:

ST31 – Monitoring of Committee Proceedings by Independent Members – 20 January 2004

EXECUTIVE SUMMARY:

The Independent Members have monitored proceedings at Cabinet (28.01.04), Planning Development Control Committee (04.02.04), Principal Scrutiny Committee (09.02.04) and Licensing & Regulation Committee (18.02.04).

This report considers the comments made and sets out what action will be taken where particular issues have been identified. It is suggested that appropriate points made in respect of the Planning and Licensing meetings should be incorporated into the specific training sessions which are held at the start of each Municipal Year, for all members of these two Committees.

RECOMMENDATIONS:

- 1 That the Independent Members be thanked for undertaking the monitoring work.
- 2 That the recommended responses arising out of the comments made by the Independent Members be agreed and the City Secretary and Solicitor requested to pursue these matters accordingly
- 3 That the appropriate points made in respect of the Planning Development Control and Licensing & Regulation Committees be incorporated into the specific training sessions held for Committee Members, which will take place at the beginning of the 2004/05 Municipal Year.
- 4 That the comments of the Independent Members be drawn to the attention of all Group Leaders.

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DETAIL:

1 Introduction

- 1.1 The Independent Members have monitored proceedings at Cabinet (28.01.04), Planning Development Control Committee (04.02.04), Principal Scrutiny Committee (09.02.04) and Licensing & Regulation Committee (18.02.04).
- 1.2 The findings of the Independent Members have been summarised under each of the 19 questions set out below. The overall rating to each question given by the Independent Members from the options set out in the questionnaire has been highlighted in bold. More than one rating highlighted indicates that opinions differed. A distinction has been made between the meetings where this is relevant.

OTHER CONSIDERATIONS:

2 CORPORATE STRATEGY (RELEVANCE TO):

- 2.1 The Council to be more open and democratic in its work.

3 RESOURCE IMPLICATIONS:

- 3.1 Minimal on the basis of the responses in this report.

BACKGROUND DOCUMENTS:

Files held in City Secretary and Solicitor's Department

APPENDICES:

Appendix 1 – Monitoring of Committee Proceedings by Independent Members – Analysis of Feedback

Monitoring of Committee Proceedings by Independent Members – Analysis of Feedback

1. How clear was the signage at the Guildhall to indicate where and when the meeting would be held?

Excellent / Good / Average / Poor / Very Poor

Comments: The electronic event screen in the reception showed the Planning DC meeting as an evening meeting, although it commenced at 2pm.

Response: After some initial problems, the information given on this screen has been providing a useful service to Guildhall customers and it is disappointing that the above error occurred. The Guildhall Manager has been made aware of the problem and the importance of accurate meetings information has been emphasised to the relatively new team of Guildhall Event Managers and reception staff.

2. To what extent was it clear who the Councillors, the officers and (if appropriate) the applicants were?

Completely / Quite well / Partly / Not at All

Comments: Some Councillor/Officer nameplates obscured by water containers or angle.

Response: Efforts are always made to angle the nameplates towards the public gallery and move water jugs to the edge of the table. During meetings, Members do sometimes inadvertently knock the nameplates when looking at reports, although this is corrected when noticed.

3. How good were the facilities in the meeting room? (e.g. seating and, if appropriate, monitors, projector screens etc.)

Excellent / Good / Average / Poor / Very Poor

Comments: Suggested that tables be provided with the public seating as those wishing to speak often have papers to consult. Poor acoustics, no amplification. One Member commented that the view of the projector screens used at Planning DC was particularly good, whilst another Member was disappointed that the images were not very clear due to light reflection.

Response: It is pleasing to report that the installation of greatly enhanced sound and vision equipment in the Walton Room is now complete. Amplification speakers (incorporating an Infrared hearing loop system) are now mounted in each corner of the room and a high definition projector has been positioned above the meeting area, linked to CD, video tape and television equipment, as well as a laptop connection. In addition, new table-top microphones have been purchased, which link to both the speaker system and a Chairman's control unit, to aid his/her control of debate. The equipment is multifunctional and will not only enhance the Council's meetings, but will also improve the facilities available to the Guildhall for general lettings.

The audio system had its first test at the Planning Development Control Committee on 21/22 April 2004 and performed well. The new visual equipment will be used as from the next meeting of that Committee on 27 May 2004. Cabinet used the audio system for the first time on 5 May and Licensing & Regulation Committee will use it on 25 May 2004, before it is extended to the remaining Committees. The microphones will also be in use for this meeting of the Standards Committee.

The use of this new equipment does allow a re-configuration of the room layout and this is now under consideration. The provision of tables for the public is an interesting suggestion, but for Planning Committees all available space is required for public seating, and at other meetings the much lower attendance levels mean that there is usually space on adjoining vacant seats to re-arrange papers etc.

4. Were copies of the agenda and procedure leaflets available on the public seating?

Yes / No

Comments: None

Response: Noted

5. How clearly was the opportunity for public participation announced at the beginning of the meeting?

Completely / Quite well / Partly / Not at All

Comments: It was made clear for each application.

Response: As a reminder of current arrangements, immediately prior to the start of the meeting, the Committee Administrator asks all those sitting in the public gallery whether or not they wish to speak. The Chairman announces the item when it is reached on the agenda (even if only to note that there are no speakers). The system for public participation at Planning Development Control Committee is different, because all public speakers have been contacted by the Public Speaking Co-ordinator several days before the meeting. The speakers are therefore aware of the procedures and their names pre-recorded for the Chairman to announce as the relevant item is reached.

6. To what extent did the agenda sheet and leaflet clearly explain the process of public participation?

Completely / Quite well / Partly / Not at All

Comments: The only comments made were that agenda circulation to members of the public prior to the meeting would give a clearer understanding of the public participation process.

Response: The Public Participation leaflet is published at the beginning of each Municipal Year and distributed to all Parish Council and Libraries; a poster is distributed each cycle. The monthly meeting list published in the Hampshire Chronicle also gives brief details of the participation process. All three methods of publication state that agendas are available in advance by contacting the CSS

General Office. Planning Development Control Committee and Winchester District Local Plan Committee papers are available on the Council's website and greater access to all committee papers will follow this year though scheduled IT improvements.

7. Were you asked directly by the Committee Administrator or the Chairman if you wanted to speak during public participation?

Yes / No

Comments: One Member was not asked, however, she believed this was because there were no members of the public present at the meeting, and the Administrator probably knew why she was present.

Response: That was the case (see also response to Question 5)

8. If others did speak, to what extent were their concerns answered fairly?

Completely / Quite well / Partly / Not at All

Comments: There was general satisfaction. It was suggested that the speaker be asked to sit at a table, rather than speaking from the public gallery. At Licensing & Regulation Committee, a direct response would have been inappropriate.

Response: At Cabinet and Planning Development Control Committee, tables for public speakers are provided. At Licensing and Regulation Committee, speakers are generally invited to the main table, although that is mainly for the applicant/agent. At other meetings, public participation is at a level which does not warrant changing the layout to incorporate a separate table.

9. How well could both the public speakers and the Councillors be heard?

Completely / Quite well / Partly / Not at All

Comment: It was noted that the amplification system used at Planning Development Control Committee was much improved. However, it was still not always easy to hear people speaking from the public gallery. It was also noted that it was difficult to hear both Members/Officers and members of the public at other meetings.

Response: See response to Question 5.

10. Councillors who are not members of the Committee can sometimes contribute to the debate, including Portfolio Holders, Ward Members and the Leader. If applicable, how well was this fact communicated to the public?

Completely / Quite well / Partly / Not at All

Comments: It was always obvious who was speaking and why.

Response: This was a re-assuring comment as Chairmen have been asked to clarify who speakers are and why they are being invited to speak.

11. Following on from question 10 above, and specifically relating to the Planning Committee, to what extent was the Planning Protocol followed (e.g.: Members of the Committee not voting but choosing to speak as a Ward Member to advocate a particular view)?

Completely / Quite well / Partly / Not at All

Comments: It was noted that at Planning Development Control Committee a Committee Member also spoke in their capacity as a Ward Member.

Response: It does appear that the Protocol was being followed which is, of course, essential for confidence in one of the Council's most important functions. Under the Protocol, a Member may speak and vote on applications within his/her Ward, provided that they have not expressed views prior to the meeting, which would lead others to think that they had pre-determined the application before hearing all the information at the Committee.

12. If any Councillors declared an interest, how well was it made clear what the actual interest was?

Completely / Quite well / Partly / Not at All

Comments: Interests declared at Planning Development Control Committee were done so by agenda item no, but no explanation was given as to why.

Response: A new procedure has been introduced at Planning Development Control Committee, whereby Members complete a form immediately prior to the meeting, giving details of any personal and/or prejudicial interests they may have in applications on the agenda. At the beginning of the meeting, the Committee Administrator reads out the entries made on the forms, stating the interest, the reasons for that interest and whether or not the Member will be leaving the room. This does not remove the need for the Member to announce that they are leaving the room at the time, not least because it may be two or three hours before the item is reached. At other meetings, the need to declare interests is usually far less and Members would state these themselves, giving the same level of detail.

13. Was it made clear whether the interest was personal or prejudicial?

Yes / No

Comments: Not in all cases at Planning Development Control Committee

Response: The new procedure explained in 12 above will correct this situation.

14. To what extent did it appear that the Code of Conduct was being followed correctly?

Completely / Quite well / Partly / Not at All

Comments: At Planning Development Control Committee applications involving Councillors or Officers were identified and explained fully. At Licensing & Regulation Committee the procedure printed on the reverse of the agenda was followed.

Response: Noted

15. Did any Member leave the room after declaring an interest of either type?

Yes / **No**

Comments: This did not arise, however one comment made was that as it was difficult to hear the declarations of interest, one would not know whether or not a Member should have left the room.

Response: See the answers to questions 5 and 12.

16. When items were debated, how well did the Chairman achieve a fair and balanced discussion?

Completely / Quite well / Partly / Not at All

Comments: Overall, comments suggested that the meetings were chaired well and a balanced discussion was achieved. However, it was perceived at Principal Scrutiny Committee that the debate and opinions appeared to come from the same few Members.

Response: The overall conclusion is encouraging. Inevitably perhaps, the nature of business at some meetings may give rise to the impression that only a few Members are participating. It is of course possible to view this impression from a positive angle, and say that after reading the reports, those Members not speaking had nothing material to add and so did not wish to prolong the debate.

17. How well did the Chairman summarise the debate prior to a decision being made?

Completely / Quite well / Partly / Not at All

Comments: The only comments made were regarding Planning Development Control Committee, where the Chair gave either a brief or full summary depending on the type of application.

Response: Chairmen are encouraged to sum up where possible. The Planning Development Control Committee is arguably the most difficult in this respect and it is pleasing to note that the Chairman's efforts were recognised.

18. How clear was the actual decision reached by the meeting on each item?

Completely / Quite well / Partly / Not at All

Comments: It appeared that some decisions were postponed. A decision at Licensing and Regulation Committee added a condition but did not explain the reason for it.

Response: This aspect appears to be generally satisfactory although, of course, all decisions and the reasons for them should be clear to those in attendance.

19. Overall, to what extent was the debate and decision easy to follow for the lay person?

Completely / Quite well / Partly / Not at All

Comment: It was fairly easy to follow with the assistance of the agenda papers. However, the acoustics at some meetings made hearing the full debate difficult.

Response: Given the complexity of some issues, this is a pleasing comment. The acoustics point has been covered in the answer to Question 5.
