



## **COUNCIL MEETING – 30 November 2023**

### **Questions by the Public** **under Council Procedure Rule 15(1)**

- Each questioner will have 2 minutes in which to ask their question. The order of the questions to be asked is as set out below and an officer will pass a microphone to the questioner when their name is called by the Mayor.
- Please note that following the response given by the Councillor, the questioner may also ask a supplementary question which must arise directly out of the original question or the reply.
- The total time allocated for questions will *normally* be limited to 20 minutes. For any question which cannot be dealt with at the meeting, a written answer will be provided, normally within one working week.

	From:
1	Patrick Davies



**Winchester**  
City Council

**COUNCIL MEETING – 30 November 2023**

**Questions by the Public**  
**under Council Procedure Rule 15(1)**

**QUESTION 1**

From: Patrick Davies

To: The Cabinet Member for Community and Engagement (Cllr Becker)

“Why in the review of the Council’s constitution did a secret panel of councillors meet many times without any public notice or involvement? Why was the existence of panels, reference groups and other informal bodies never considered in the review of the Constitution at these secret panel meetings? Why did the Audit and Governance meeting not respond properly to the representations on this issue I raised at their last meeting and how do the minor changes now suggested in the proposals before the Council on 30 November represent genuine and open public involvement in Council decision making at the vital early discussions of important matters?”

**Reply**

“Thank you Mr Davies for your question. The review of the Council’s Constitution did not involve a secret panel of Councillors. The work was undertaken by the Monitoring Officer with the assistance of a cross-party working group and the conclusion of that work was reported to the Audit and Governance Committee 3 weeks ago on the 9<sup>th</sup> of November – a meeting that you attended and spoke at – raising the same question as you are tonight. So far from being a secret process, it is one that the public has been able to engage with – as your presence at the Audit and Governance Committee meeting demonstrated (as well as your presence here tonight).

You were advised at the Audit and Governance meeting that the use of informal working groups was very much standard practice. In fact, the use of this type of informal group working is acknowledged as a common practice for councils undertaking a review of a Constitution by The Centre for Governance and Scrutiny in their publication, *The Review and Redrafting of Constitutions: Guidance for English authorities*.

This Administration is fully committed to public engagement – which is why we introduced the ability for members of the public to ask questions of Full Council when we took control in 2019. The latest iteration of the Constitution, which we will be voting on later tonight, takes this commitment further, with new requirements to record meetings and keep those recordings available, formalise the right of the public to ask questions of Cabinet, and clarifying decision-making processes.

In fact, you have had a direct impact on the drafting of this Constitution - in response to the points you raised at the Audit and Governance Committee meeting we have now proposed including a definition of Informal Working Groups so that the public can understand what they are, as you requested.

As you know, the content of what is incorporated in the Constitution is detailed in law and it is paramount that it clearly sets out the technical detail of how a Council's main decision-making systems operate and how it is to be used by councillors and officers alike.

A Constitution should be a living document, one that reflects not only evolving practice and law, but also one that is periodically strengthened and refined to ensure it stays both relevant and consistent.

It needs to be designed to provide the flexibility to deal with a number of scenarios relating to political, and officer, leadership. Above all it must ensure that decision-making is well-understood by and visible to the public. It must be clear to members of the public what their rights are with regard to:

- voting in elections
- accessing information about the authority's activities;
- accessing meetings of the council, its Cabinet, committees of Cabinet, sub-committees and any joint committees established with any other authority;

This review has ensured that all of the aforementioned detail has been addressed and particular attention has been given to clarifying and formalising the rights of members of the public whose participation we fully embrace and encourage – and have further extended in this version of the Constitution.”