

COUNCIL MEETING - 18 OCTOBER 2022

(B) QUESTIONS FROM MEMBERS OF THE PUBLIC

1. Mr Wellum to ask the Leader of the Council: Public Speaking at Committee Meetings

Relevant sections of the “Constitution of Reading Borough Council - 23 May 2018” are included in an appendix.

Article 3.1.(c) (iv) allows members of the public - at the chairs discretion - to speak “... on individual items on the agenda for Committee meetings, for up to five minutes per item ...”

Section 7.9.1 also provides for the public to speak on individual items.

BUT

Standing Order 36B limits a member of the public ”... to speak on one item only on any Committee agenda”

Does Council agree:

That the paragraphs are inconsistent and limit accountability to the local public ?

That SO36B should be amended to:

- Any one member of the public is able to speak on any item on any Committee agenda for a maximum of five minutes per agenda item at the chair’s discretion;

That this full Council meeting should approve the amendment rectifying the inconsistency, and the amendment to take immediate effect after Council’s approval ?

Appendix

Constitution of Reading Borough Council - 23 May 2018

3.1 Citizens’ Rights 3.1.1 Citizens have the following rights. Their rights to information and to participate are explained in more detail in the Access to Information Rules in Part 4 of this Constitution:

(a) **Voting and Petitions.** Citizens on the electoral roll for the area have the right to vote and sign a petition to request a referendum for an elected Mayor form of Constitution or a change of governance arrangements. (b) **Information.** Citizens have the right to:

(i) attend meetings of the Council and its Committees and Sub-Committees except where confidential or exempt information is likely to be disclosed, and the meeting is therefore held in private;

(ii) see reports and background papers, and any records of decisions made by the Council, and Committees and Sub-Committees of the Council; and

(iii) inspect the Council’s accounts and make their views known to the external auditor.

- (c) **Participation.** Citizens have the right to participate in Council, Committee and Sub-Committee meetings, and to contribute to evidence gathering by Committees when undertaking overview and scrutiny exercises, as follows:
- (i) by presenting a petition to the Council or Committees in line with Standing Orders 8 and 36(1), and the Petition Scheme
 - (ii) by submitting questions to the Council or Committees in line with Standing Orders 9 and 36(2)
 - (iii) by speaking on individual planning applications which affect them at meetings of the Planning Applications Committee, in line with Standing Order 36A
 - (iv) by speaking on individual items on the agenda for Committee meetings, for up to five minutes per item at the invitation of the Chair, in line with Standing Order 36B

7.9 Public and Councillor Participation

7.9.1 The Standing Orders for Council and all Committees, and Overview and Scrutiny Procedure Rules, in Part 4 of this Constitution, include the following facilities for the public, and Councillors who are not Committee members, to participate in Committee meetings:

- Public right to present petitions to Council and committees (SO8)
- Public and Councillor right to ask questions at Council and committee meetings (SO9)
- Councillor right to attend a committee meeting where not a member and make a statement on an agenda item (with notice) (SO32)
- Facility for committee members to request relevant items on committee agendas; and for Group Leaders to request items on any relevant committee agenda (SO36A)
- Public ability to speak on individual agenda items at committee meetings (with notice and at Chair's discretion) (SO36B)
 - Facility for local people and stakeholders to be invited to attend and speak on relevant items (SO36B)

36B Public Participation in Standing Committees

- (1) The Chair of a Standing Committee or Sub-Committee listed in Article 7 of this Constitution may, at his/her discretion, invite members of the public present at the meeting to indicate if they wish to speak on any particular item on the agenda, and to make up to five minutes available on any agenda item for public speaking, subject to:
- any one member of the public being able to speak on one item only on any Committee agenda;
 - advance notice being encouraged, but not a requirement;
 - the Chair having the discretion to end these flexible arrangements in the event of abuse of the right to speak, for example by representatives of political parties
- (2) The Chair of a Standing Committee or Sub-Committee may invite local residents, stakeholders and partners, and/or members and officers of other bodies providing

public services in Reading to attend a Committee meeting, to address the meeting, to discuss issues of local concern and/or answer questions.

REPLY by Councillor Brock Leader of the Council.

Thank you for your question Mr Wellum.

Firstly, I would highlight that the provisions in Articles 3.1.1 and 7.9.1 refer the reader to Standing Order 36B, which clearly set out the parameters of the discretionary public speaking rights at our Standing Committees and Sub-Committees. Standing Order 36B also states these arrangements only apply to Standing Committees and Sub-Committees included in Article 7. I'm therefore not entirely sure where the inconsistency is to be found. Article 3.1.1 refers to 'Committee meetings' rather than a single meeting, so maybe that is where the confusion lies. A member of the public may speak on 'individual items on the agenda', across more than one agenda but they can only speak on one item per meeting.

I would also suggest that rather than limiting accountability, by allowing public speaking, we are encouraging scrutiny and accountability. I must remind everyone, these are discretionary public speaking arrangements, we are not obliged to have such provisions but choose to do so.

The discretionary public speaking provisions exist to enable a range of people with interests or concerns in a particular item to bring them to the attention of a committee. This enables these contributions to be considered in the Committee's discussions and/or decision-making process.

The limit on the number of items a member of the public may speak on is precisely to avoid the risk of a single individual monopolising an agenda by speaking on every item. This would clearly not be in the interests of democratic scrutiny or efficient decision-making. For similar reasons, we have limits, albeit generous, on the number of formal questions that either a member of the public or a councillor may ask at each meeting.

I understand the sentiment of the question, however, I believe that the public speaking arrangements as set out in Standing Order 36B are fair and proportionate. I will, therefore, not be advocating allowing Chairs the discretion to grant a member of the public permission to speak on multiple occasions throughout an agenda.