

Report of	Meeting	Date
Director (Governance) Introduced by (The Leader of the Council)	Council	16 April 2024

Suspension of Standing Orders

Is this report confidential?	No
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Purpose of the Report

- Members are asked to agree to a temporary suspension of Standing Orders to reduce in scope the right of the public to speak at Full Council and Executive Cabinet meetings.

Recommendations

- That Standing Order 6 of Part A Appendix 3 to the Constitution (and the relevant procedure rules at Part E) be suspended, with the right of the public to speak at Council meetings being removed and the procedure detailed at Paragraph 12 below being implemented.
- That this suspension of standing orders and implementation of the temporary changes is to continue until further decision by the Council.

Reasons for recommendations

- Whilst it is a requirement that meetings of the Council are held in public, there is no statutory right for the public to address the meeting.
- At the meeting on 27 February last the meeting was disrupted when a member of the public abused their rights in the constitution, leading to the meeting being suspended and the police being called to clear the room.
- There is a real risk of this happening again.

Other options considered and rejected

- To not suspend standing orders. This was considered carefully as there is no real history of disruption of council meetings by the public at this authority. However, it was considered how serious the disruption was and the perceived threat to staff and councillors. Further, the matter which led to the disruption (whilst being outside the control of the council) is ongoing and unlikely to be resolved in the immediate future.
- To close the meetings to the public. This is viewed as a step too far. Peaceful protest should be permitted and indeed it is a legal requirement that the meetings should be open

to the public. Should the disruption continue or become more significant then this decision can be revisited.

Background to the report

9. The Constitution permits members of the public to ask questions of the Council at council meetings. These are required to be related to an item on the agenda for that meeting and there are procedures to notify the council of their intention in order to make it a valid public questions.
10. This procedure enables the council to focus on appropriate business, ie matters within its control, but enable members of the public to raise directly with the council local issues of concern.
11. On 27 February last, a public question was submitted concerning housing (2 other questions were also correctly received). The question was responded to by the relevant executive member. The member of the public was invited to ask a supplemental question which the constitution permits. This should be related to the initial question.
12. The supplemental question quickly strayed away from the primary question and into the situation in Gaza. The member of the public was reminded on a number of occasions that the supplementary question must be related to the primary question. After being repeatedly ignored by the member of the public, the Mayor adjourned the meeting.
13. There were further issues which led to the police being called and the chamber being cleared of members of the public. On resumption of the meeting the substantive business of the meeting was concluded.
14. A number of councillors have expressed concern over their safety at the meeting as a result of this incident, feeling threatened by the public just by their participation at the meeting and by the actual conduct of the public at the meeting. To be clear other members did not feel threatened at all.
15. The Council owe a duty to manage the business of the council in a way that maintains the safety of both councillors and staff. Risk Assessments have been reviewed and updated and further controls could be implemented however, it is recommended that the opportunity for the issue to arise be removed for the time being. As stated there is no statutory right for the public to speak at meetings the proposal below enables the public to put questions to council.
16. It is proposed to suspend the operation of Standing Order 6, and temporarily include the following public right:-

Members of the public may ask one written question on any item on the Agenda for the Council meeting. This must be submitted to the Chief Executive by midday on the day, two working days before the day of the meeting.

A written response will be provided to the member of the public. There will be no provision to ask a supplemental question and whilst the member of the public is permitted to attend the meeting there is no associated right to speak.

The written question and response will be available with the minutes of the meeting.

17. It is not intended to change the public rights to speak at either Planning or Licensing meetings.

Climate change and air quality

18. There are no implications for climate change or air quality relating to this decision.

Equality and diversity

19. It is not viewed that this decision will have any impacts on the councils' obligations to promote equality and or diversity. The right to ask questions of the council has not been lost it is being delivered in a different way.
20. Further, should a member of the public wish to speak to a councillor they can do so, only not during a meeting of the council.

Risk

21. Risk Assessments have been undertaken in relation to the conduct of council meetings but it is recommended that they remain confidential. The main risks are summarised in the body of the report.

Comments of the Statutory Finance Officer

22. There are no financial implications of this decision.

Comments of the Monitoring Officer

23. The right of the public to speak at council meetings is not a statutory one, it is permitted by the Constitution. As such provided the changes are reasonable members are able to suspend standing orders and implement temporary arrangements as proposed.
24. It will be important to continue to review the suspension to ensure it is still necessary.

Background documents

There are no background papers to this report.

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