
PUBLIC ACCESS TO WORKING GROUPS

1 SUMMARY

- 1.1 This report is on the possibilities for opening up meetings of Working Groups to the public.

2 BACKGROUND

- 2.1 At Full Council on 18 December 2001, it was resolved that Officers present a further report to this Sub-Committee on public access to Working Groups (Minute 465(6))/01).

3 DISCUSSION

- 3.1 Working Groups provide members with a means of preliminary discussion, fact finding, receiving and debating views other than those of members and generally brainstorming issues before formal consideration in committees and sub-committees. Matters dealt with in Working Groups are usually at a very early stage and may never be taken up formally.
- 3.2 Acknowledging that to be effective such work often needs to be done in private, the law allows a local authority to set up Working Groups for this purpose. It must be made clear that the authority's intention is to create such a forum and that there is no conferment of delegated powers (In Rochford's case, the intention is contained within paragraphs 2 and 12 of Working Group protocol).
- 3.3 Working Groups operate in accordance with specified Council protocol.
- 3.4 Paragraph 2 of the protocol states: -
- “A Working Group will not be given delegated decision – making powers and will exercise only a fact-finding consultative or advisory role. As such, all Working Groups will operate outside of the Council's usual decision making process.
- 3.5 Paragraph 12 of the protocol states:-
- “Representatives of the media, other organisations and members of the public will not be admitted to meetings of Working Groups save where invited to attend by a majority of those members of the Group that may be present at the meeting concerned.”

3.6 The requirement for Working Groups should diminish or cease altogether with the introduction of Overview and Scrutiny Committees. However, for so long as Working Groups continue to function, it is suggested that the present protocol should be retained. Currently it is left to the Working Group to decide whether or not to meet in private. If Members wish to consider opening all Working Groups to the public, the following should be taken into account:-

- Would participants (Members and advisers) feel that opportunities to openly debate all aspects/possibilities associated with a subject are stifled? This could be the case when sensitive information not already in the public domain is raised and may lead to the exclusion of the public in any event.
- Unlike Committees/Sub-Committees, by the nature of their remit, Working Groups often only identify recommendations in the latter stages of a round of meetings. Any recommendations are submitted to the appropriate Committee/Sub-Committee.
- Arrangements would need to accord with access to information legislation – advanced public notice would need to be given and agendas, minutes and reports published in the public domain to accord with legal requirements on timing and content. In this respect, Working Groups would effectively become the same as current Committees/Sub-Committees.
- From the perspective of perception, opening up all Working Group meetings to the public would maintain a feeling of openness. Conversely, the attendance of the public and press at Working Group meetings could unduly raise public expectations, particularly if there is a misunderstanding about the non-executive fact finding/advisory role of Working Groups.

4 RECOMMENDATION

It is proposed that the Sub-Committee confirm the existing Working Group protocol. (CD(LPA))

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Background Papers: None

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