

Cheshire Police and Crime Panel

Date of meeting:

Report of: Brian Reed, Head of Governance and Democratic Services

Subject : Limiting response times to questions

1. Report Summary

- 1.1 At the meeting of the Panel held on 22 September the Secretariat was asked to look into the options for the way in which the Police and Crime Commissioner answers individual questions from Panel members.
- 1.2 This paper provides a summary of the research undertaken and provides the Panel with a number of options.

2. Recommendations

- 2.1 The Panel is recommended to:
 - (i) To consider if it wishes to amend its Procedure Rules to place limitations on the time taken by the Commissioner to answer questions from Panel members; or to otherwise change its Procedure Rules to give the Chairman the discretion to limit the time allocated to the Commissioner to answer individual questions.

3. Background

- 3.1 Each regular meeting of the Police and Crime Panel has approximately an hour of its time allocated for members of the Panel to ask questions of the Police and Crime Commissioner. Many of these questions are submitted in advance to the Commissioner so that he is able to research the issue and provide a comprehensive answer.
- 3.2 On average the Commissioner is able to answer five or six questions in the time available at a Panel meeting. Questions that remain unanswered are responded to in writing.
- 3.3 At the meeting of the Panel held on 22 September, Cllr Andrew Dawson asked that the Secretariat research the possibility of limiting the amount of time allocated to the Commissioner's answers to individual questions, so as to

increase the number of questions that the Commissioner is able to respond to during the meeting.

- 3.4 The Procedure Rules of a quarter of the 40 other Police and Crime Panels have been reviewed and conversations held with Democratic Service staff from the host Authority of a smaller number of Panels across the country.
- 3.5 When Police and Crime Panels were established in 2012, the Local Government Association published guidance on their Terms of Reference, together with draft Procedure Rules. These Procedure Rules are silent on the time that should be allocated to the Commissioner (or anyone from the Commissioner's Office) to answer questions. The majority; if not all. Panels (including Cheshire's Panel) adopted the Procedure Rules based on the nationally produced draft. In most cases few, if any, modifications were made. It is therefore not surprising that no reference to time limits to the answers provided to questions have been found in any of the Procedure Rules that have been reviewed.
- 3.6 Whilst those Procedure Rules that have been reviewed have been very similar to our Rules, conversations with Host Authorities have revealed that other Panels have developed a variety of ways of scrutinising the Police and Crime Commissioner. For example, in Staffordshire the Commissioner is present for almost all of the meeting and as well as answering questions from Panel members, answers questions from members of the public who live or work in the County.
- 3.7 Whilst the review of Procedure Rules has found no reference to placing a time limit on a Commissioner when answering a question, many Local Authorities do impose a time limit on individual Councillors when they address Council or Committees. A typical time limit is five minutes; such limits are aimed at moving debate on and maximising the number of Councillors who can contribute to a debate.
- 3.8 Although no examples have been found where a Panel's Procedure Rules limit the amount of time that the Commissioner may take to answer questions, there would appear to be no reason why the Panel could not amend its own Rules to impose such a limitation. Such a change would have parallels to the limitations on speaking at meetings placed on Councillors by many Councils.
- 3.9 There are a number of options open to the Panel; these include:
 - Amend the Panel's Procedure Rules to place a limit on the time that the Commissioner may spend answering an individual question from a Panel member, e.g. five minutes, unless the Chairman is content for the Commissioner to continue.
 - Amend the Panel's Procedure Rules to give the Chairman the discretion, when in his view it is appropriate, to place a limit on the time that the Commissioner may spend answering an individual question from a Panel member.

- Make no change and rely on the powers the Chairman already has to control who speaks at meetings.

3.10 It should, however, be noted that the Chairman has common law powers to govern the operation of the meeting which are virtually without limitation.

4. Financial Implications

4.1 There are no financial implications to the recommendations in this report.

5. Equality Implications

5.1 There are no equality implications.

6. Contact Information

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