

Western Gateway Shadow Sub-National Transport Body

Board Meeting

Paper B

Date	20th September 2019
Title of report:	Governance update
Purpose of report:	To outline proposed changes to the Western Gateway Shadow Sub-National Transport Body Constitution regarding public engagement during board meetings

Recommendations:

The members of the Board are recommended to:

- I. To allow only written representations to be presented to the board.
- II. To introduce the recommended process for a trial period of six months. This will be for the period covering the board meetings in December 2019 and March 2020. The process will be reviewed at the June 2020 board meeting and either retained, removed or amended.
- III. To delegate approval to the Senior Officers Group (in consultation with Members) to agree the final form covering the proposed changes to the Constitution.
- IV. To update the Western Gateway webpage to ensure information regarding the process is available to members of the public.

Background

- 1.1 For the Western Gateway to operate as a Shadow Sub-National Transport Body (WGSSTB), it is essential that member Authorities sign up to a governance framework that contains information outlining membership, chairing and leadership, voting rights and other key procedures.
- 1.2 In December 2018 the Board recommended adoption of the WGSSTB Constitution and the Terms of Reference.
- 1.3 A key aspect of the Constitution was transparency and accountability, this is reflected by ensuring board meetings are open to the public to attend and board papers are published on the Western Gateway webpage - <https://westerngatewaystb.org.uk/>
- 1.4 Following the Transport and Business Forum in June 2019 enquires were made to the Accountable Body regarding the process for allowing members to make representations during board meetings. This issue has not been

addressed within the existing Constitution. The Constitution therefore needs to be updated to outline a suitable process.

- 1.5 It is important to ensure the any process adopted by the WGSSTB is consistent with the other Sub-national Transport Bodies (STB). However, having reviewed information available on their web pages there is no consistency.
- 1.6 Peninsula Transport STB – Have adopted a Public Participation Scheme covering their board meetings. Thirty minutes per meeting is dedicated to public participation and representations must be submitted in advance. Each presenter is allowed three minutes to address the board. Detail answers do not need to be provided at the meeting. A copy of the scheme is provided in Appendix A.
- 1.7 Transport for the South East STB – Recently reviewed their constitution and although the meetings are open to the public, to date there has not been any demand for any public participation.
- 1.8 England Economic Heartland STB – Allow 10 minutes at each Board meeting for public questions on any of the listed agenda items. Speakers are invited to ask a question, a supplementary question and to make a short statement.
- 1.9 Midlands Connect STB, Transport for the North STB and Transport East STB- There are no references on their websites regarding how members of the public would address the board.

Options

- 1.10 Officers have identified three options for allowing members of the public to engage with the WGSSTB board.
 - **Option 1** – To allow members of the public to make verbal representations during the board meeting without submitting questions in advance.
 - **Option 2** – To allow members of the public to make verbal representations during board meetings, but only those submitted in advance and approved by the Accountable Body as being relevant to the work of the Sub-National Transport Body.
 - **Option 3** – To only allow written representations to be considered by the board.
- 1.11 The process for each option is provided in Appendix B. This would provide the bases of the text to be inserted into section 10 - *meeting requirements of the WGSSTB Board* in the updated constitution.

Consultation, communication and engagement

- 2.1 This issue has been discussed by the Senior Officer Group.

Equalities Implications

3.1 No adverse impact on any protected groups.

Legal considerations

4.1 The WG Shadow Sub-National Transport Body (WGSSTB) remains an informal non-statutory partnership.

Financial considerations

5.1 There are no financial considerations linked to the recommendations contained within this report.

Conclusion

6.1 The Board is recommended to adopt allowing written representations only to be presented to the board. This will be for an initial six month trail commencing from the December 2019 board meeting.

6.2 Subject to approval the board is recommended to delegate approval to the Senior Officer Group to update the WGSSTB constitution inline with the process outlined for option 3 in Appendix B. Information regarding public participation at the WGSSTB board meetings shall also be updated on the Western Gateway webpage to reflect the decision of the board.

Contact Officer

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PUBLIC PARTICIPATION AT PENINSULA TRANSPORT MEETINGS



1. Can I attend a meeting?

Formal meetings of the Peninsula Transport Board are open to the public who may attend to observe the business and may participate in accordance with section 2 that follows below. Public attendance is subject to the Local Government Access to Information rules, which permit the Committee, when considering an item of business on the agenda, to exclude the press and public in circumstances where there is the likelihood of the release of exempt information (eg, commercially sensitive information) as defined under the Local Government Act 1972.

Members of the public may use Facebook and Twitter, blogging or other forms of social media to report on proceedings at meetings. Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so. As a matter of courtesy, anyone wishing to film proceedings is normally asked to advise the Secretariat Officer in attendance so that those present may be made aware.

We would ask that, as far as possible, members of the public aren't filmed unless they are playing an active role such as speaking within a meeting and there may be occasions when speaking members of the public request not to be filmed.

Members of the public will be treated with respect and courtesy when attending meetings of the Peninsula Transport board. They will be listened to and everyone who has registered will be able to be present/speak without interruption or intimidation.

It is therefore expected that members of the public listen to the proceedings and respect the views and experiences of other people contributing.

2. Public Participation

Members of the public are able to submit a statement and / or ask a question at formal meetings of the Peninsula Transport board. Statements and questions must relate to the responsibilities of the Peninsula Transport Shadow Sub National Transport Board.

To submit a statement / question you must live in the area served by the Peninsula Transport authorities.

3. Are there any restrictions on the statement that can be made or the question that can be asked?

The only restrictions are:

- The statement / question must not be frivolous or defamatory and must not concern a confidential issue which would normally be considered in private. The Board's Chair has discretion to refuse statements / questions which fail this requirement.

- A member of the public may only submit a single statement and / or ask one question at any meeting of the Peninsula Transport board. If more than one statement / question is received or a single question contains a number of component questions, then only the first statement / question will be accepted. You may ask one 'supplementary' question at the meeting arising from the answer given to your original question.

4. How do I submit my statement / question?

Formal statements/questions must be submitted in writing (by letter or email) before 12 noon on the fourth working day before the date of the meeting (i.e. if the meeting is on a Friday then the submission must be made by the preceding Monday, taking into account any Bank Holidays). The contact details for the Secretariat are available online. Where you submit a statement/question relating to a report on an agenda for a meeting and that report is not available by this time you may nonetheless be entitled to make a statement/ ask a question in certain circumstances.

All statements / questions will be listed in the order received and will be circulated to everyone at the meeting together with written responses to questions.

When you submit a statement / question it would be helpful if you could also provide a telephone number so that we can contact you if there is a need to clarify any aspects or if for some reason no reply can be given to a question.

5. Can I speak at the meeting?

A member of the public who has submitted a statement / question will be allowed to make oral representations at the meeting to introduce their statement / question. Such representations will be limited to 3 minutes. While your views and comments may be acknowledged by the Chair of the meeting, you will not receive detailed 'answers' to any points included in your presentation.

6. How much time is allowed for public participation?

A maximum of 30 minutes in total is allowed at each meeting for public participation. If your statement / question cannot be dealt with in that time then you will be sent the response by letter or email. The Chair has the discretion to extend the period allowed for public participation in exceptional circumstances.

7. If I submit a statement / question do I have to attend the meeting?

No. If you cannot attend the meeting, the statement / question and responses to questions will be published on the website with the minutes of the meeting together with your name. If you do attend, you will be invited to sit at the place reserved for you while your statement / question is dealt with.

8. Is there a limit on the length of any statement / question?

No, but it is best to keep your statement/question as short as possible to avoid any misunderstanding. If a lengthy statement / question is submitted, the Chair may require it to be shortened before it is accepted for circulation.

9. How will I know what is on the agenda for a meeting?

Agendas are normally published one week in advance of the meeting and are available online.

Outline of processes for public engagement during Western Gateway board meetings. Subject to agreement a variation of text shall be inserted into Section 10 of the WGSSTB Constitution.

Option 1 – To allow members of the public to make verbal representations during the board meeting without submitting questions in advance

1. The WGSSTB webpage will include information and documents relating to the WGSSTB's activities. It will also include links to relevant information on other websites.
2. WGSSTB board meetings are open to the public and each board meeting has 10 minutes allocated to members of the public to make representations.
3. Representations should cover strategic transport issues only and be relevant to the work of the Sub-National Transport Body. Where representations are considered by the board to be local issues the representation shall be heard, but referred to the relevant local transport authority to respond.
4. Full details of the process and how members of the public attend and engage with the board shall be published on the WGSSTB webpage.
5. Those wanting to make a representation need to register at least five working days in advance of the relevant meeting WGSSTB Board meeting.
6. It is expected that no more than three representations shall be made at a board meeting.
7. The individual making the representation shall have no more than one minute to address the board. The individual making the representation shall be asked to cease addressing the board should they continue to address the board for more than one minute. If this request is not respected by the individual the board may instruct the individual to be removed.
8. The board shall have no more than two minutes to respond to each representation made. In responding the board may defer to a suitable officer or seek to respond outside the board meeting if they are unable to provide sufficient information at that time.
9. All representations and responses shall be recorded as part of the formal minutes of the meeting. The number of individuals registering representations shall also be recorded.
10. The process governing this part of the meeting shall be kept under review to ensure it meets the expectations of the board and those attending the meeting.

Option 2 – To allow members of the public to make verbal representations during board meetings, but only those submitted in advance and approved by the Accountable Body as being relevant to the work of the Sub-National Transport Body.

1. The WGSSTB webpage will include information and documents relating to the WGSSTB's activities. It will also include links to relevant information on other websites.
2. WGSSTB board meetings are open to the public and each board meeting has 10 minutes allocated to members of the public to make representations.
3. No members of the public will be able to make direct verbal representation to the board unless the representation has been submitted in writing to the Accountable Body by email or letter at least five working days in advance of the relevant meeting WGSSTB Board meeting. Only representations that are of relevance at a Sub-national level shall be considered.
4. The Accountable Body will respond to the member of the public at least three working days in advance of the relevant meeting to confirm that:
 - a. The representation is appropriate for discussion by the board. Where representations are received, but are considered not to be relevant to the board the relevant stakeholder shall be identified by the Accountable Body and the representation forwarded to the relevant authority to respond.
 - b. There is sufficient time available at the board meeting for the representation to be heard by the board.
5. It is expected that no more than three representations shall be made at a board meeting.
6. The individual making the representation agreed by the Accountable Body shall have no more than one minute to address the board. The individual making the representation shall be asked to cease addressing the board should they continue to address the board for more than one minute. If this request is not respected by the individual the board may instruct the individual to be removed.
7. The board shall have no more than two minutes to respond to each representation made. In responding the board may defer to a suitable officer or seek to respond outside the board meeting if they are unable to provide sufficient information at that time.
8. Where multiple representations are received in advance of the meeting and they are considered by the Accountable Body as being on a similar theme only one member of the public shall be invited to verbally address the board.
9. All relevant written representatives received shall be shared with the board for information.
10. All representations and responses shall be recorded as part of the formal minutes of the meeting. The number of representations registered shall also be recorded.

11. The process governing this part of the meeting shall be kept under review to ensure it meets the expectations of the board and those attending the meeting.

Option 3 – To only allow written representations to be considered by the board

1. The WGSSTB webpage will include information and documents relating to the WGSSTB's activities. It will also include links to relevant information on other websites.
2. WGSSTB board meetings are open to the public and each board meeting has 10 minutes allocated for public representations to be heard.
3. No members of the public are allowed to make direct verbal representations to the board.
4. Written representations can be submitted and these shall be presented to the board by the Accountable Body.
5. Written representation must be submitted by the Accountable Body by email or letter at least five working days in advance of the relevant meeting WGSSTB Board meeting. Only representations that are of relevance at a Sub-national level shall be considered.
6. The Accountable Body will respond to the member of the public submitting the representation at least three working days in advance of the relevant meeting to confirm that:
 - a. The representation is appropriate for discussion by the board. Where representations are received, but are considered not to be relevant to the board the relevant stakeholder shall be identified by the Accountable Body and the representation forwarded to the relevant authority to respond.
 - b. There is sufficient time available at the board meeting for the representation to be heard by the board.
7. It is expected that no more than three representations shall be made at a board meeting.
8. In responding the board may defer to a suitable officer or seek to respond during the meeting.
9. Where multiple representations are received in advance of the meeting and they are considered by the Accountable Body as being on a similar theme, the Accountable Body shall select only one representation to be made at the board meeting.
10. All relevant written representatives received shall be shared with the board for information.
11. All representations and responses shall be recorded as part of the formal minutes of the meeting. The number of representations registered shall also be recorded.
12. The process governing this part of the meeting shall be kept under review to ensure it meets the expectations of the board and those attending the meeting.