



## GOVERNANCE COMMITTEE

**Subject Heading:**

**Attendance of Members' guests and members of the public at meetings of the Council**

**CMT Lead:**

Ian Burns, Assistant Chief Executive

**Report Author and contact details:**

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**Policy context:**

Inviting review of present arrangements for accommodating Members' Guests and the public at meetings of the Council

**Financial summary:**

There are no direct financial implications

**Has an Equality Impact Assessment (EIA) been carried out?**

**The subject matter of this report deals with the following Council Objectives**

- Ensuring a clean, safe and green borough
- Championing education and learning for all
- Providing economic, social and cultural activity in thriving towns and villages
- Valuing and enhancing the lives of our residents
- Delivering high customer satisfaction and a stable council tax

**SUMMARY**

This report outlines the present position relating to the attendance of Members' guests and members of the public at meetings of the Council and invites consideration of whether any changes are needed.

**RECOMMENDATIONS**

For consideration as to whether any change should be made in the arrangements for accommodating Members' guests and members of the public at meetings of the Council.

**REPORT DETAIL**

- 1 This report is submitted at Members' request, in the light of recent confusion about the extent and nature of the Council's obligation to admit members of the public and Members' Guests to meetings of the Council and about the arrangements for accommodating them.

Background

- 2 It has long been the Council's practice to admit the public to its meetings and to facilitate Members' inviting guests to attend. The Council Chamber as originally constructed included the Balcony; and when the Chamber was refurbished in 1997/98, opportunity was taken to add the Side Gallery seating area and seats in the Lobby area at the rear of the Chamber.
- 3 There is a legal obligation to admit the public to Council meetings (except when confidential or exempt information is under discussion), although the balcony was provided when the Town Hall was built, long before that obligation first arose in 1960. The obligation does not, however, extend to requiring that particular areas be made available for public use; so long as there is some reasonable provision, the Council has discharged its obligation.
- 4 There is no provision in law for Members' guests but it has long been the Council's practice to facilitate their attendance. In legal terms, such guests are no different to other members of the public and, for example, were a meeting to go into private session to discuss confidential or exempt business, the guests would need to leave along with any members of the public present. Any area set aside for seating guests is, therefore, simply an area in which particular members of the public have been invited to sit. It is entirely at the Council's discretion what area is so designated.

Accommodation available

- 5 Within the Council Chamber, there are five distinct seating areas:

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- (a) the Members' seats (61 seats)
  - (b) a group of seats on the left-hand side of the Chamber (as seen when facing the Mayor) (used at Council meetings by senior staff and civic guests such as Past Mayors, Honorary Aldermen, Members of Parliament and former Members) (12 seats, plus 2 reserved for use by the press)
  - (c) the Lobby area at the rear of the Chamber (12 seats)
  - (d) the Side Gallery (18 seats) and
  - (e) the Balcony (which alone existed prior to 1998) (25 seats)
- 6 Until 2011, the Lobby area was used for Members' guests and both the Side Gallery and the Balcony were available for members of the public; it was then decided, following some inappropriate behaviour and breaches of Members' security, that the Side Gallery should be available only for Members' guests and people having a disability that prevented them from accessing the Balcony, and that any other public attendees should be seated in the Balcony.
- 7 It should be noted that the view of the meeting from the Side Gallery is far superior to that from the Lobby area. The Lobby area is now generally used only by officers (if any) attending the meeting, or those attending for presentations etc who do not intend to remain for the whole meeting.

### Members' guests

- 8 The arrangements for Members' guests are of long standing. Special arrangements apply for the Annual Meeting (because of the Mayor making and associated ceremonial activity) but, for other meetings, the arrangement is simply that seats are available for reservation in the Side Gallery on a first come, first served basis to named individuals nominated by Members.
- 9 Generally, around a dozen individuals are invited to each meeting, though by no means all attend. There are rarely any members of the public in attendance.
- 10 At the meeting of the Council in January, an unprecedentedly high number of guests were invited, many by one Member. Of the 18 seats in the Side Gallery, 12 were allocated to the guests of that Member; a number of his other guests, and those of other Members, had to be seated in the Balcony. An overspill area was also provided in Committee Room 3 (with audio-visual links to the Chamber) but only a few people used it, for a small part of the meeting.
- 11 It should be noted that Members are responsible to the Mayor and their fellow Members for the conduct of their guests. Generally, guests do not act in a disruptive manner or seek to interrupt proceedings; any interruptions are usually made by members of the public.

- 12 Consideration is now invited of the arrangements for Members' guests and whether any change is needed. In particular, the Committee may wish to consider whether the number of guests per Member should be limited in some way, and if so to what number, and whether at the Annual Meeting the number guests invited by the outgoing and prospective Mayors should be subject to the same limit.

## **IMPLICATIONS AND RISKS**

### **Financial implications and risks:**

There are no direct financial implications or risks

### **Legal implications and risks:**

The Local Government Act 1972 requires meetings to be held in public, except to the extent that they are considering information that is confidential or exempt. The accommodation provided must be reasonable but there is no obligation to make available particular areas or numbers of seats.

### **Human Resources implications and risks:**

There are no HR implications or risks

### **Equalities implications and risks:**

There are no equalities implications or risks

## **BACKGROUND PAPERS**

There are no background papers