

Council Procedure Rules

Section 4 – Public Participation

1. Introduction

- 1.1 There are three ways in which members of the public can participate in committee meetings. These are:
- By asking a public question
 - By making a public comment
 - By submitting a petition
- 1.2 The following sections outline the process by which members of the public can exercise their right to participate in meetings, as well as giving details of the rules governing the exercise of these powers.

2. Public Questions

- 2.1 Public questions provide an opportunity for residents or business owners in the borough to ask questions of the Chairman of formal committee meetings.
- 2.2 Questions must relate to an item being considered on a committee agenda. Committee agendas are published on the Council's website five working days prior to the meeting.
- 2.3 Questions should be sent by e-mail or post to the Governance Service officer named on the front page of the agenda and **received** by 10am on the second working day prior to the meeting. For example, if a meeting is due to take place on a Tuesday evening, questions must be received by 10am on the preceding Friday. In practice, the majority of questions are sent by e-mail.
- 2.4 At the meeting, a time period of up to 30 minutes, or for up to 20 questions (whichever occurs first), is available.
- 2.5 Answers to the questions will be given in oral or written form at the meeting. Any questions not answered at the meeting will be responded to in writing within 10 working days.
- 2.6 If they wish, members of the public can ask one supplementary question at the committee meeting, which will be answered without discussion.

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3. Public Comments

- 3.1 Public comments provide an opportunity for residents or business owners in the borough to address formal committee meetings.
- 3.2 Comments must relate to an item being considered on a committee agenda. Committee agendas are published on the Council's website five working days prior to the meeting.
- 3.3 Requests to speak should be sent by e-mail or post to the Governance Service officer named on the front page of the agenda and **received** by 10am on the second working day prior to the meeting. For example, if a meeting is due to take place on a Tuesday evening, requests must be received by 10am on the preceding Friday. In practice, the majority of requests are sent by e-mail. *Please note: for requests to make comments on planning applications or tree preservation orders, requests to speak must be received three working days prior to the meeting.*
- 3.4 At the meeting, each speaker will have a time period of up to 5 minutes to address the Committee. The Committee members will then have the opportunity to question the speaker. *Please note: for requests to make comments on planning applications or tree preservation orders, each speaker will have a time period of up to 3 minutes. No more than 4 individuals are able to make comments per application, or 2 individuals per application considered at an Area Planning Sub-Committee. Where more than the maximum number of requests to speak have been received, the public shall decide amongst themselves who is to address the Committee. If this does not take place, the Chairman shall use their discretion to determine who is able to speak.*
- 3.5 Members of the public requesting to speak are able to send a substitute if they are unable to attend the committee meeting.

4. Restrictions and Exceptions for Public Questions and Comments

- 4.1 Public questions and comments are not permitted:
 - On any matter which has been the subject of a decision of any committee in the previous six months
 - If they are requests from or in connection with the aims and activities of a political party

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- If they would result in the release of confidential information, or which may prejudice enforcement
- If they relate to a matter where this is a right of appeal against any decision of the Council
- If they are defamatory, abusive or offensive
- Is submitted from council employees or trade unions on employment matters; there are avenues available for these to be addressed via the terms of reference of the General Functions Committee

4.2 Public questions and comments are not permitted at the following meetings:

- Appeals Committee
- Chief Officer Appointment, Investigation and Disciplinary Panels
- Council
- Non-formal meetings
- Licensing Committees and sub-Committees
- Standards Committee, on agenda items relating to complaints of a breach of the Member Code of Conduct

4.3 Public comments are not permitted at Cabinet or Cabinet committee meetings, except at the invitation of the Chairman. Public questions are permitted in the usual manner.

5. Petitions

5.1 Petitions enable members of the public to bring matters to the attention of the authority. Petitions must have a minimum of 25 signatures by individuals who live, work or study within the borough to be considered.

5.2 Petitions can either be submitted in hard copy to the Head of Governance or by using the authority's e-petitions facility. Online petitions using other facilities will not be accepted.

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- 5.3 Petitions must be relevant to the functions of the authority.
- 5.4 Petitions will not be accepted if they are:
- vexatious or abusive
 - relate to planning or licensing applications, appeals or reviews
 - made under any other enactment or statutory provision
- 5.5 Petitions will be acknowledged within 10 working days. The acknowledgement will include information on further action in respect of the petition.
- 5.6 Petitions will be formally received by the appropriate Cabinet Member or Director, or at the most relevant body in which to do so, which in many cases is the relevant Residents' Forum. A notification of formal receipt of a petition will be published on the council's website.
- 5.7 Petitions of over 7000 signatures will be considered at the next available Full Council meeting, where the lead petitioner will have a right to address the Council for five minutes. Petitions are required to be received 15 days before the Council meeting, and only one petition will be heard per meeting.
- 5.8 Petitions of over 2000 signatures will be considered at the Business Management Overview & Scrutiny Committee, where an officer will be called to give account. The lead Petitioner will have the right to address the Committee for five minutes.