

COPYTHORNE PARISH COUNCIL MEETING

TUESDAY 8th JANUARY 2018

ITEM NO: 12 – Revision to Standing Orders regarding public participation at meetings

Members of the public have a legal right to attend the monthly Parish Council meetings of Copythorne Parish Council as well as any Extraordinary meetings. They may be excluded (by a resolution of the meeting) for specific items which need to be discussed in confidence, for example but not limited to staffing matters, financial details relating to individuals or tenders for contracts. Members of the public have no legal right to speak at meetings of the Council. However, the Council, as part of its community engagement, sets aside time for public participation at meetings.

Currently the Council Standing Orders (Section 3d and e) state:

- d. Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.*
- e. Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda".*

Public participation is best used for issues where a decision will or could be made by the Council at the meeting for items already on the agenda and these Standing Orders allow for this. However, should members of the public wish to raise questions not on the agenda there is currently no formal mechanism to enable this. It is proposed that Standing Orders are amended to enable full public participation.

The Council should not make any instant decisions at the behest of members of the public on items that are not included in the agenda. As a matter of best practice, this session will be kept separate from the debate of the councillors. If matters raised are not on the agenda for the meeting these can be used to form part of the agenda for a future meeting at the discretion of the Council. Members of the public are welcome to stay for the Council meeting after the public session as observers but will not be able to join in the discussion unless invited to do so by the Chairman. It is important to note that the Council is unable to make a decision binding in law unless a specific item has been included on the agenda.

It is not a good use of time for members of the public to raise comments about matters such as hedges, street lights, pot-holes and so forth during public participation unless pertinent to a matter before the Council and contained in the agenda. Such areas of concern should be raised with the Clerk/RFO, or lead Councillor for the appropriate area to address and, if necessary, bring a resolution to a subsequent Parish Council meeting.

It is proposed that the following rules are applied to the public participation session:

- The public participation session will be limited to a maximum time as set by Council.
 - The public participation session is an opportunity for members of the public to (a) make representations, (b) answer questions or (c) give evidence relating to the business to be transacted.
 - The time for each member of the public to speak is limited to 3 minutes.
 - If more than one member of the public wishes to speak on the same topic then they should nominate one person to speak on their behalf. This will avoid duplication and make the best use of the public participation period.
 - Written statements and questions should, ideally, be received by the Clerk at least 3 days prior to the meeting. This is to allow sufficient time for research and preparation of an appropriate response. Questions may be submitted either in writing, by telephoning or by e-mail for the respective meeting.
 - The Chairman has the right to say that any question or statement is inappropriate and will not be accepted.
 - Neither Councillors nor the Clerk should be put under pressure to respond immediately to comments made under public participation. Members of the public do not have a right to force items onto the council agenda nor to insist on how matters are recorded in the minutes.
 - A question raised by a member of the public during a public speaking session shall not require an immediate response and there should be no debate or discussion between the Council and the public.
 - A brief record of topics raised at public participation will be included in the minutes of that meeting. But libellous, offensive and discriminatory comments will not be minuted.
 - If the issue is on the agenda then it will be discussed under the appropriate item.
- Members of the public are therefore requested to leave their contact details with the

Clerk if they will be leaving the Council meeting before the item is reached if they wish to receive a reply to their query.

- All statements, questions and responses must be related to the facts of the matter and not be personal in nature. There should be no reference to personal views on any person.
- All persons present will act respectfully towards every other person present and will not act in a manner that demeans, insults, threatens or intimidates him or her. All statements, questions and responses, challenges to statements, complaints or criticisms must be made politely. Offensive or threatening behaviour will not be tolerated.
- If a member of the public interrupts the proceedings of any meeting the Council reserves the right to curtail the contribution of that person and exclude a disorderly person.

Taking account of the above ,it is proposed therefore to amend the Standing Orders (Section 3 e) to state :

e. Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda. They may also , at the invitation of the Chairman, raise matters not on the agenda.

If this is approved then the standing item on the agenda for public participation will be retitled to reflect the change.