

# **SANDWICH TOWN COUNCIL**

## **Public Participation at Town Council Meetings**

### **Introduction**

Members of the public have a legal right to attend decision making meetings of the Council and its committees, except where they are excluded for specific items which need to be discussed in confidence (e.g. staffing matters or tenders for contracts). Members of the public have no legal right to speak at meetings of the Council or its committees and so when they are allowed to do so it is considered a privilege. The Council sets aside time for public participation during which members of the public may make a representation, contribution, suggestion or ask a question. Councillors with a prejudicial interest in an agenda item may speak during public participation (and then leave the room when the item is considered).

Other than when invited to do so by the Chairman, members of the public are not permitted to speak at the meeting as this confuses the roles of councillors, who participate in the meeting, and members of the public who observe it. If there is a possibility that a large number of people will wish to speak, the Chairman will encourage people not to repeat comments made by earlier speakers or ask for a single representative to be appointed.

Public participation takes place near the start of the meeting immediately after declaration of interests to make everyone aware if a member has a prejudicial interest. The time for public participation shall be outlined on the agenda.

Reports from other organisations, such as the district and county council will be included in this session.

It is recognised that some members of the public may abuse the opportunity to speak. While the Chairman will endeavour to ensure an answer to a question this may be refused if continuous representations are made or repetitive questions asked.

Neither councillors nor officials are under any obligation to respond immediately or at all to comments or questions made during public participation. The Chairman's decision to allow a question or require an answer to be given will be final. Members of the public do not have a right to force items onto the Council agenda.

The public have a legal right to attend Council and committee meetings but do not have a right to disrupt them. Members of the public should not heckle or otherwise disrupt and must respect the rulings of the chair. As per the Council's Standing Orders If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.

## Rules

1. A maximum of fifteen minutes will be set aside for public participation at Council and committee meetings.
2. Questions may only be asked at full Council meetings as the main decision making body with the exception of planning issues which may be made at meetings of the Planning Committee. The conduct of public participation will be regulated by the Chairman having regard to the guidelines set out but with the right of discretion reserved.
3. The Chairman's decision on the relevance of a representation or question and on the method of dealing with any issue in connection with this procedure will be final. This includes the Chairman's decision to allow a representation or question or require an answer to be given.
4. Questions:
  - a. Must be clear and concise and be relevant to matters for which the Council has powers or duties.
  - b. Only one question may be asked by any member of the public or organisation and the question must relate to a single topic.
5. Questions, representations, contributions or suggestions should not:
  - a. Contain offensive expressions or be personal or verbal attacks on any staff or member of the Council.
  - b. Divulge, or require the answer to divulge confidential or exempt information.
  - c. Repeat questions or representations previously asked at earlier meetings unless there has been a material change of circumstances.
6. Questions may only be asked of the Chairman.
7. Members of the public wishing to ask a question at a Council or Planning Committee meeting should provide the wording of the question and the following details to the Town Clerk by no later than 4.00pm five working days before the Council meeting (e.g. the Monday before a Monday council meeting), or in the case of a planning application by 12.00 noon the day prior to the Planning Committee meeting:
  - a. Name, address and contact details of the person asking the question.
  - b. The name of an organisation if the question is being asked on their behalf.
  - c. The question to be asked.
  - d. Brief information about how the subject of the question relates to the person asking the question (e.g. as a resident of the area, as a recipient of a service, the owner of a property affected by a proposal).

8. The following process will apply at the meeting:
  - a. The Chairman will invite representations to be made or questions to be asked at the meeting.
  - b. The Chairman will invite the member of the public to address the meeting from the front of the Council Chamber.
  - c. Up to a maximum of three minutes will be allowed to address the meeting. However, if two or more members of the public are concerned about the same topic only two may speak in support of the matter and two against. The first speaker in either case shall speak for a maximum of 3 minutes and the second for 2 minutes.
  - d. The Chairman shall decide on whether or not a response is appropriate and if so shall respond or invite a Councillor or officer of the Council to respond which may take the form of: (a) a direct oral response. (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or (c) where the reply cannot conveniently be given orally, a written response circulated later to the questioner and made available to all members of Council and to the public.
9. The timing of questions and responses is controlled by the Mayor and Town Clerk.
10. No debate will be allowed on any question or the response thereto with the exception of planning meetings where Councillors may ask questions for clarification.
11. Any person excluded from a meeting will lose the privilege of addressing any meeting for a period of 12 months or until such time as the Council may decide otherwise.

### **Other ways to Ask Questions**

Members of the public should be aware that rather than bringing questions to the entire Council and other members of the public during public question time, questions may also be addressed, during business hours by the Town Clerk's office, or via the Mayor or your ward councillors. These methods of communication are encouraged when more detailed dialogue is required than three minutes allow; the council meeting is not the correct forum for conducting long debates between councillors and members of the public.

**Adopted February 2020, to be reviewed as required.**