

SWALLOWFIELD PARISH COUNCIL



PUBLIC PARTICIPATION IN MEETINGS

March 2015

CONTENTS

1 INTRODUCTION 3
2 GUIDELINES..... 3

1 INTRODUCTION

Members of the public have a legal right to attend the monthly Parish Council Meetings of Swallowfield Parish Council (“SPC”) as well as any Extraordinary or Planning Committee meetings that may be called from time to time. Members of the public may be excluded (by a resolution of the meeting – known as a Part 2) 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, SPC, as part of its community engagement, sets aside time for public participation at meetings. SPC has consulted with the National Association of Local Councils (“NALC”) and the following information is for those members of the public wishing to address questions or comments to the Parish Council.

2 GUIDELINES

- 2.1 Questions or comments from members of the public shall appear as an agenda item for all Parish Council meetings (including extraordinary and planning committee meetings). It shall be held after declarations of interest so that everyone is aware if a member has a prejudicial interest. The guidelines are a maximum of 20 minutes and no more than 5 minutes devoted to any one topic. In the event of several people wishing to speak either in favour or against the issue, the respective group(s) will be requested to select one spokesperson to address the Council. One person wishing to speak either in support or against the issue will be allowed to address the Council even if no other person wishes to present an opposing argument.
- 2.2 Question(s) will be answered by the relevant Lead Councillor, the Chairman or the Clerk following which the questioner will be allowed to ask one supplementary question. If the supplementary question is not able to be answered at the meeting, a written reply will be sent to the questioner as early as possible after the meeting.
- 2.3 Councillors with a prejudicial interest in an agenda item will be allowed to speak during this agenda item (and then leave the room when the item is considered).
- 2.4 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. Questions should ideally be submitted to the Parish Clerk three working days prior to the respective 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. 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.

- 2.5 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 and Lead Councillor for the appropriate area to address and, if necessary, bring a resolution to a subsequent Parish Council meeting.
- 2.6 It is undesirable to allow members of the public to speak throughout the meeting as this runs the risk of confusing the roles of Councillors, who participate in the meeting, and members of the public who observe. Members of the public will not be allowed to speak during the debate by the Council. The Chairman may decide to adjourn the meeting where Councillors express a wish to seek additional clarification from members of the public.
- 2.7 Comments made during public participation will be (very briefly) minuted and will not necessarily be a verbatim record. There is no need to minute the names of members of the public who speak but the Council will endeavour to do so where this is known.
- 2.8 Remarks of a libellous, offensive, discriminatory or otherwise unlawful nature will not be minuted because SPC is liable for what is in its minutes even if someone else said it.
- 2.9 Neither Councillors, nor the Clerk, should feel under pressure to respond immediately to comments made during public participation other than those which relate to items on the agenda. A comment could be referred to the Clerk to write to, or meet the speaker, or could form the basis for an agenda item at a future meeting. Members of the public do not have a right to force items onto Parish Council meeting agendas.
- 2.10 Members of the public should not heckle or otherwise disrupt proceedings and should respect the rulings of the Chair. The Chairman of any meeting has an inherent right to exclude a disorderly person. Members of the public have a legal right to be present so excluding one or more of them will be a last resort. Alternatively, if there is serious disorder the Chairman may decide to adjourn the meeting for a short time to allow people to calm down.