

# **Public Participation at Parish Council Meetings**

## **A Parish Council Meeting**

The following may offer some assistance to members of the public to understand how a Council meeting works.

## **The role of the Parish Council**

Parish councils are a local authority that makes all kinds of decisions on behalf of the people on issues that affect the local community.

A Parish Council is elected by the electorate of the area to serve as a body to decide upon and provide local facilities and fulfil requirements. Parish Councillors are unpaid volunteers who give their time and service freely to assist the local community East Witton Parish Council is made up of 4 Councillor seats, managed by a Chairman.

Meetings of the Parish Council are not public meetings, but members of the public have a statutory right to attend meetings of the council as observers. They have no legal right to speak unless the Parish Council Chairman authorises them to do so. However, as part of its community engagement, East Witton Parish Council sets out a time for public participation at an agreed time when members of the public are invited to speak.

We hope that you will find Council meetings useful and if you have any queries please consult the Clerk.

## **Are residents allowed to speak or contribute?**

The law does not allow members of the public to take part in the debates. However, this council will allow members of the public the opportunity to speak during the meeting, for 5 minutes in relation to Items on the Agenda. Public participation 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. Please study the agenda carefully so that when the opportunity occurs you can make the best use of your time.

If you wish to raise a point, which does not relate to an item on that evening's agenda, you are free to do so during public participation. However, the council's discussion of the point might have to be delayed until a subsequent meeting, as the council is unable to make a decision binding 'in law (this is particularly relevant to financial decisions) unless a specific item is included on the agenda.

## **Procedure for a member of the public to speak or raise issues at Council meetings?**

If possible or feasible, make a call prior to the meeting to the Clerk to inform you wish to speak or raise an issue at a forthcoming Council meeting. This is because, if there is information the Clerk can bring along to the meeting or research before the meeting which may help with the query or the Councillors – the Clerk will be able to do this.

Members of the council are always willing to discuss topics put forward by the public. Our agenda is prepared about a week before the next council meeting so you will need to inform the Clerk about 10 days prior to the meeting. Although this might seem a long time in advance, the council is required by law to publicise its agenda at least three clear

days before each meeting. Only business contained within the agenda can be considered at the meeting.

When the meeting reaches the agenda item of 'public participation', the Chairman will suspend the meeting and members of the public will be allowed to speak. At this point Councillors should not interrupt or debate issues with the public, but sometimes, if it is counter-productive not to, they may respond, but debate or long discussions should not take place between the public and the Council as this is the 'public' section.

A question raised by a member of the public during a public speaking session shall not require a response and there should be no debate or discussion between the Council and the public. 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 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.

When all the members of the public have spoken in the public participation section, the Chairman will resume the meeting. At this point the Council may discuss the item(s) raised by the public, and consider:

1. a) if it is matter the Parish Council can legally consider and make any decisions on;
2. b) if it is matter which can be referred by the Clerk to another authority, or;
3. c) if it is an item which will need a Council decision or expenditure and so would need to go onto a future agenda. The item will then be referred to a future agenda.

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 before leaving the Council meeting if they wish to receive a reply to their query.

*No legal decisions or expenditure can be made on any item raised at a meeting (by public or Councillor) because the item would not have been legally notified on an agenda in advance to the electorate or 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. Members of the public may be excluded by a resolution of the meeting for specific items which need to be discussed in confidence (e.g. staffing matters, tenders for contracts, some legal issues).

### **Speaking in relation to an Agenda Item**

The time for the public to speak in relation to Items on the Agenda is limited to 5 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.

You must notify the Clerk before the meeting if you wish to address the Parish Council in relation to an Agenda Item.

**What about 'bad behaviour' at a Council meeting**

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 related to the facts of the matter and not personal in nature.

Members of the public disturbing a Council meeting will be asked by the Chairperson to desist in any behaviour considered to be disrupting the meeting. If the behaviour continues Council can resolve, without discussion, that the person(s) withdraw from the meeting or be removed.

If a meeting becomes unmanageable because of interruption, or impossible to be continued due to disturbance or disregard for the Chairpersons instructions the Council can and will resolve to either close the meeting for a period of time or have the meeting recalled for another date.