

# Public Participation and Engagement

## 1. Introduction

- 1.1 This section relates to how members of the public can participate in the formal decision making process of the Council. There are other less formal ways that the public can engage with the Council (such as Residents Forums, consultations and other working groups) all of which form part of the governance and accountability framework.
- 1.2 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
- 1.3 The following sections outline the process by which members of the public can exercise their right to participate in formal committee meetings, as well as giving details of the rules governing the exercise of these powers.

## 2. Public Questions

- 2.1 Questions must relate to an item being considered on a committee agenda and be addressed to the Committee Chairman. Questions must detail which agenda item they are in connection with. Committee agendas are published on the Council's website five working days prior to the meeting. Members of the Public should state their current/business address or organisation when submitting questions.
- 2.2 Questions should be submitted to the relevant Governance Officer by 10am on the ~~second clear~~ third working day prior to the meeting (for example for a committee meeting on a Thursday the deadline would be 10am on the preceding Monday; for a committee meeting on a Tuesday the deadline would be 10am on the preceding Thursday). Any questions submitted after this time will not be considered.
- 2.3 At the meeting, a time period of up to 30 minutes, is available for public questions and comments in total.
- 2.4 Written responses to public questions will be circulated to the questioner in advance, or at the meeting. If they wish, members of the public can ask the Committee Chairman one supplementary question at the Committee

meeting, which will be answered without discussion. The supplementary question must be relevant to the original question put to the Chairman.

- 2.5 Members of the public submitting questions are able to send a substitute to ask their supplementary question if they are unable to attend the committee meeting. The Governance Officer supporting the meeting should be made aware of this prior to the meeting commencing

### **3. Public Comments**

- 3.1 Comments must relate to an item being considered on a Committee agenda and provide members of the public with an opportunity to address Committee Members. Committee agendas are published on the Council's website five clear working days prior to the meeting.
- 3.2 Requests to speak should be submitted to the relevant Governance Officer named on the front page of the agenda and received by 10am on the second clear working day prior to the meeting. Any requests to make comments after this time will not be considered.
- 3.3 At the meeting, each speaker will have a time period of up to three minutes to address the Committee. Committee Members will then have the opportunity to question each speaker on the representation that they have made.
- 3.4 Comments may also be made in writing within the same deadlines as paragraph 3.2 and these will be published as an addendum to a report

### **4. Requests to speak at Planning Committees, Area Planning Committees and Area Committees**

- 4.1 Requests to speak should be submitted to the relevant Governance Officer by 10am on the third working day prior to the meeting.
- 4.2 A maximum of three speakers are able to address the committee on each application or item.
- 4.3 In respect of planning committees only, there can be a maximum of two speakers in favour or against an application. The third speaker slot is reserved for the applicant or their representative irrespective of whether the application is recommended for approval or refusal. whose-The applicant's representation will be taken as the last speaker on an item.-

- 4.4 Where more than three 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.
- 4.5 When registering to speak, members of the public will be asked by the Council if they consent to having their details passed on to other supporters or objectors, thus enabling them to put forward views of others who have an interest in and wish to make representations on the application or item. If a member of the public is representing the views of others, they must inform the Committee who else they are representing when making their presentation. .
- 4.6 At the meeting, each speaker will have a time period of up to 3 minutes to address the Committee. Committee members will then have the opportunity to question the speaker.
- 4.7 Members of the public making comments to Committees are able to send a substitute if they are unable to attend the committee meeting. The Governance Officer supporting the meeting should be made aware of the substitution prior to the meeting commencing.
- ~~4.8 Where a Committee is considering an application or item that has been recommended for refusal by Officers and there are no objectors speaking on the application, the applicant or their representative shall have the right to address the Committee.~~
- 4.89 Where an application or item being considered by a Committee is referred to its parent committee for approval, the speaking rights of members of the public who have registered to speak on the application or item will automatically transfer to the parent committee.

## **5. Items and Questions to Resident Forums**

- 5.1 Items and questions must be received by the Governance Service by 10am on the fifth working day prior to the meeting for the item to be discussed at the Forum. Written responses to local matters will be provided by 5pm the working day before the Residents Forums take place.
- 5.2 The Forum Chairman has the discretion to accept items and questions with less than five days' notice if they deem the matter to be urgent. Responses to urgent matters will be responded to by officers at the Forum meeting.
- 5.3 The Six Month Rule shall apply whereby matters dealt with cannot be raised again within this period.

5.4 The Residents Forum may also be a forum for certain consultations from the Council as decided by the Chairman.

The Chairman will determine issues in the following way:

1. Residents will have the opportunity to discuss the issue raised
2. Chairman, Chief Officers or other relevant officers may respond to the issues raised
3. Having considered the issues the Chairman can take the following actions:
  - note the issue and take no action
  - instruct that an appropriate named officer contact the resident within 20 working days to provide an additional response
  - instruct that Ward Members are notified of the issue.
  - decide that the issue be referred to the next meeting of an Area Committee for consideration, subject to the issue being within the terms of reference of an Area Committee

When determining issues in accordance with the options detailed above, the Chairman must give reasons for their decision.

## **65. Restrictions and Exceptions for Public Questions and Comments**

**65.1** Public questions and comments are not permitted:

- If they are requests from or in connection with the aims and activities of a political party
- 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
- If 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
- If they relate to the making / confirmation of Tree Preservation Orders, as the procedure for making objections or representations is prescribed by the Town and Country Planning Act 1990 and the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

The Chairman of the relevant Committee or Sub-Committee, in consultation with the Head of Governance shall decide whether any particular comment or questions will be permitted.

| **65.2** Public questions and comments are not permitted at the following meetings:

- Council (other than the written questions to the Leader)
- Informal meetings
- Licensing sub-Committees – the procedure for making representations on licensing applications is prescribed by the Licensing Act 2003

| **67. Petitions**

| **6.4** **7.1** Petitions must have a minimum of 25 signatures and be relevant to the functions of the authority. The petition will be presented to the Governance Service who will forthwith present it to the relevant Director and the relevant Committee Chairman.

| **6.2** **7.2** Petitions can either be submitted in hard copy to the Head of Governance or by using the authority's e-petitions facility. It is acceptable to combine paper petitions and e-petitions, providing the action the Council is being requested to take in the petitions are the same. An e-petition will only be accepted if it complies with the terms and conditions set out in the Council's e-petitions facility.

| **7.36.3** Petitions will not be accepted if they are:  
- vexatious or abusive  
- relate to any enactment or statutory provision

| **7.46.4** Petitions relating to planning or licensing applications, appeals or reviews will be dealt with by the relevant service area and will be taken into consideration in dealing with the relevant application, appeal or review. Petitions that are submitted to the Council that do relate to Planning or Licensing matters will be taken into account by the relevant service during the consideration of an application.

| **7.5** Petitions will be acknowledged within 10 working days. The acknowledgement will include information on possible action to be taken by the Council and detail of how and when the petition will be reported to a

Council decision making body.  ~~that will be taken by the Council in respect of the petition.~~

7.6  ~~Petitions which receive over 25 signatures~~ will be reported to the following decision making bodies.

<u>25 – 1,999 Signatures</u>	<u>The Relevant Area Committee</u>
<u>2,000 – 6,999 Signatures</u>	<u>The Relevant Theme Committee</u>
<u>7,000 plus Signatures</u>	<u>Full Council</u>

~~6.5~~ Petitions that are reported to  ~~will be referred to the relevant Area Committees~~ will be considered at the appropriate meeting in one of the following ways.  ~~The following actions are available to the Committee:~~

- ~~-~~ Note the petition
- ~~-~~ Ask officers to present a report to a future meeting of the Area Committee
- ~~-~~ Formally refer to a relevant Committee
- ~~-~~ Formally instruct an officer (within their powers) to take action
- ~~-~~ To bring the matter to the attention of the Ward Councillors (who will consider and respond to the issue individually)

~~67.7~~ Petitions that are reported to Theme Committees will be considered at the appropriate meeting in one of the following ways:

- Take no action
- Note the petition
- Agree a recommended course of action
- Instruct an officer to prepare a report for a future meeting of the Committee on the issue(s) raised

76.8

~~In addition to the procedure outlined in paragraphs 6.6 – 6.8 above, petitions which receive 2,000 signatures and over but less than 7,000 will be considered by the next available meeting of the relevant theme Committee.~~ ~~Petitions are required to be received 15 days before the Committee meeting and only one petition will normally be heard per meeting~~ with the exception of Area Committees. The Chairman of the

Committee ~~will~~may request that the relevant Chief Officer to attend the meeting to be called to give account with regard to the issue raised.

76.9 Details of the procedure to be followed at the meeting and the actions available to the Committee are set out below:

- i) Lead Petitioner is given five minutes to present the petition;
- ii) Committee Members have an opportunity to ask questions of the Lead Petitioner;
- iii) Chief Officer and Chairman of the relevant Committee respond to the issues raised in the petition;
- iv) Committee Members ask questions of the Chief Officer and Committee Chairman;
- v) Committee will then consider the issues raised and the responses received and take ~~one of the following actions~~ action as outlined in section 7.6.

- ~~• Take no action~~
- ~~• Note the petition~~
- ~~• Agree a recommended course of action.~~
- ~~• Instruct an officer to prepare a report for a future meeting of the Committee on the issue(s) raised.~~

76.108 Petitions ~~which receive 7,000 signatures or over will be considered at the next available~~ reported at Full Council meetings ~~Petitions~~ are required to be received 15 days before the Council meeting, and only one petition will be heard per meeting. Details of the procedure to be followed at the meeting are set below:

- i) Lead Petitioner is given five minutes to present the petition;
- ii) Council Members have an opportunity to ask questions of the Lead Petitioner then debate the item.
- iii) The relevant Committee Chairman will respond to the issues raised in the petition and outline the decision route (if any) he/she proposes to take

76.119 Any received hard copy petition will be published on the ~~council's~~ Council's website via the Council's e-petition facility and processed by the Council as documented in this section.