

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 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 third 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 and Area Planning Committees

- 4.1 Details of the procedure for speaking at planning committee meetings is set out in section 7 of Meetings Procedure Rules (Planning Committee Procedure Rules)

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 Councillors, MPs and Assembly Members are not permitted to submit items and questions for Residents Forums, but may be called on to comment on issues. Such comments will be invited entirely at the discretion of the Residents Forum chairman
- 5.4 The Six Month Rule shall apply whereby matters dealt with cannot be raised again within this period.
- 5.5 The Residents Forum may also be a forum for certain consultations from the Council as decided by the Chairman.
- 5.6 At Residents Forums items and questions will be considered in order of receipt. Where a resident has submitted more than one item or question, their second item or question will be considered after all other residents have presented their first item. Issues will continue to be determined in this way until all issues have been considered.
- 5.7 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.

6. Restrictions and Exceptions for Public Questions and Comments

6.1 Public questions, ~~and~~ comments and items/questions to resident's forums are not permitted:

- At the Planning Committee and Area Planning Committees on Town and Country Planning applications (a separate procedure is detailed in the Planning Committee Procedure Rules in Meetings Procedure Rules). Public questions and comments are permitted at the Planning Committee on planning policy matters.

- 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.
- If they relate to a matter submitted by someone who has been deemed to be subject to the Unreasonably Persistent Complainants Policy.

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.

7. Petitions

- 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/or the relevant Committee Chairman for information.
- 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.

The address of the Head of Governance is as follows:

Head of Governance

London Borough of Barnet
Building 2, North London Business Park
Oakleigh Road South
N11 1NP

- 7.3 The authority's e-petition facility can be found here:
<https://barnet.moderngov.co.uk/mgEPetitionListDisplay.aspx?bcr=1>
- 7.4 E-petitions submitted on external websites can be accepted by the council. However, petitions hosted on external websites will need to be submitted by the lead petitioner to the Head of Governance in order for the petition to be accepted.
- 7.5 Petition signatures must be from Barnet residents otherwise they will not count towards the overall signature total. Petitions signatories must provide addresses to enable them to be verified.
- 7.6 A petition will not be accepted if:
- it is vexatious or abusive;
 - it relates to any enactment or statutory provision;
 - it relates to a safeguarding matter;
 - it does not contain the address of signatories;
 - it relates to a named individual or could reveal the identity of a person;
 - it does not relate to the functions of the council;
 - it is not clear in what it is asking the council to do;
 - it deals with an issue that has previously been resolved;
 - it is repetitive, vexatious, or requires action which is unlawful or for which another council procedure is available
- 7.7 The Head of Governance will make a ruling on whether or not to accept a petition, taking into consideration grounds for rejection as laid out above.
- 7.8 In such an occasion where a petition is rejected, the Head of Governance (or his/her representative) will write to the lead petitioner and explain the reasons for rejection.
- 7.9 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.
- 7.10 Petitions will be acknowledged within 10 working days. The acknowledgement will include information on how the petition will be progressed.

7.11 Petitions will be reported to the forums below using the following procedures:

| Signatures | Forum and Procedure |
|-----------------------------|---|
| 0-24 | No action required. |
| 25 – 1,999 Signatures | <p>The petition will be reported to Residents Forum to which the issue relates. Where the petition relates to a borough-wide issue, the matter will be reported to the Residents Forum for the constituency area in which the lead petitioner resides.</p> <p>The Lead Petitioner will be given three minutes to present the petition to the Forum. Following the presentation the Residents Forum Chairman will decide to:</p> <ul style="list-style-type: none"> • Take no action; • Refer the matter to a chief officer to respond to within 20 working days; or • Refer the matter to the relevant Area Committee (if funding is required) |
| 2,000 – 6,999 Signatures | <p>Where the petition relates to the functions and responsibilities of an Area Committee (as detailed in Responsibility for Functions, Annex A) it will be reported to the relevant Area Committee.</p> <p>Where the petition relates to the matters outside the functions and responsibilities outside of the remit of an Area Committee, the petition will be reported to the relevant Theme Committee.</p> <p>The Lead Petitioner will be given five minutes to present the petition to the committee. Following the presentation the Chairman and Committee Members have an opportunity to ask the Lead Petitioner questions. After the debate the Committee will decide to:</p> <ul style="list-style-type: none"> • Take no action • Refer the matter to a chief officer to provide a written respond to Lead Petitioner within 20 working days; or • Instruct an officer to prepare a report for a future meeting of the Committee on the issue(s) raised with a recommended course |

| | |
|-----------------------|---|
| | of action |
| 7,000 plus Signatures | <p>The petition will be considered by Full Council and the following process will be followed:</p> <ul style="list-style-type: none"> • Lead Petitioner is given five minutes to present the petition; • Council Members have an opportunity to ask questions of the Lead Petitioner then debate the item. • 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 |

7.12 Petitions are required to be received seven clear working days (or 10 calendar days) before the Residents Forum, relevant committee meeting or Full Council.

7.13 Any hard copy petition received will be published on the Council's website via the Council's e-petition facility and processed by the Council as documented in this section. Updates or responses to petitions will be published on the e-petitions section of the website once an officer has responded or a Forum, Committee or Full Council has received a petition.