

# CUMNOR PARISH COUNCIL

## PUBLIC PARTICIPATION at MEETINGS: GUIDANCE

### Introduction

The general public and representatives of the press have always had the right to attend Council meetings. Recent changes to the legislation has greatly extended this right; which now embraces the right to attend, record and report all Council and Committee meetings unless specifically excluded by resolution of the Council. The grounds on which the public may be excluded are closely defined by law. The presumption is that public access will be the norm. There are limitations to this right: for example persons guilty of disruptive behaviour can be excluded.

The Parish Council has gone beyond this basic right and has provided a public participation section in its Council meetings and at its relevant committee meetings. The aim is to foster community involvement.

Whilst the Parish Council encourages local residents to air their views, it is essential to be aware that, if you choose to contribute to the proceedings of the meeting, you are explicitly agreeing to the following conditions:

#### Other persons present may:

- **Film or photograph you and/or make an audio record of what you say.**
- **Use any other means for enabling persons not present to see or hear what you say.**
- **Report or comment on what you say in writing during or after the meeting or orally report or comment on what you said after the meeting.**

These rights derive directly from statute and the Parish Council cannot vary them.

The guidance that follows is designed to help you make the most of your right and is provided in the form of a question and answer brief.

### Guidance

#### 1 What is the new provision?

The basic provision is that in any meeting to which this provision applies, there will be a session, not exceeding 20 minutes in length, during which the public may contribute to the discussions.

#### 2 This seems very inflexible: what if an item is of wide public interest or very controversial?

The chairman of the meeting has powers to extend the period or to sub divide it if he/she believes this to be necessary to facilitate discussion.

#### 3 Who can address the meeting?

Anyone who can show an interest in a topic: priority will however be given to parishioners.

#### 4 What topic areas can I cover when I address the meeting?

Your comments must be relevant to the items that are on the agenda or, where the Chairman has sub divided the public discussion period, to the items actually under discussion. Otherwise you can make representations, ask or answer questions and give evidence.

#### 5 Are there any limitations on what I can say?

Yes comments made are not privileged in any legal sense: for example the laws governing defamation still apply. The laws covering public order offences also apply and the Chairman has powers to prevent breaches of normal civilised debate.

#### 6 Are there any other limits on the contribution I can make?

Yes. All comments must be addressed to the chair. Your speech must not exceed 5 minutes in length and, without the expressed approval of the Chairman; you can only address the meeting once.

**7 May members of the public use visual aids?**

Normally no. The Council does not make provision for the use of visual aids. If you wish to use them you must make prior arrangements with the Clerk, who will consult the relevant chairman before making a decision.

**8 If I want to make a contribution how do I register my interest?**

It is desirable, but not obligatory, that you should contact the Clerk before the meeting starts and register your interest. This will help the Chairman to plan the meeting and maximise the chance that your point of view is given an airing.

The Chairman has a duty to ensure that all points of view are given an equal airing: he/she cannot guarantee that every person that wishes to speak will be able to do so. Be aware in particular that the Council has resolved that, when planning applications are under consideration, opponents and proponents of the scheme shall both be given 5 minutes to put their respective cases. The 5 minutes can be sub divided between speakers but experience suggests that this is seldom the best way of getting a point of view across. Pre-registration gives you a chance to talk to other would be speakers.

**9 I failed to preregister: is there anything I can do?**

Yes: the Council's Standing Orders allow you to put your hand up at the appropriate time to call attention to your wish to speak. The Chairman will call on you if there is sufficient time.

**10 I feel I need additional information as to the processes used: is there anyone I can approach?**

Yes please feel free to approach the Clerk or any councillor and ask for the information you require.

When approaching the Clerk please remember that the answers she gives reflect decisions taken by others. She is a font of relevant knowledge but that knowledge may or may not reflect her personal views.

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