



Spaldington Parish Council



.....at the heart of the Community, for the benefit of the Community.....

PUBLIC PARTICIPATION AT PARISH MEETINGS POLICY

January 2021

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Spaldington Parish Council will hereinto be known in this policy as *'the Council'*

1. THE ROLE OF THE PARISH COUNCIL

- i. Parish councils are a local authority that makes all kinds of decisions on behalf of the people on issues that affect the local community, most commonly planning matters, crime prevention, managing open spaces and campaigning for and delivering better services and facilities.
- ii. 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
- iii. Spaldington Parish Council is currently made up of five Councillor seats, managed by a Chairman.
- iv. 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.
- v. Members of the public have no legal right to speak unless the Council Chairman authorises them to do so - it is the prerogative of the Chair to allow public participation.
- vi. However, as part of its community engagement, the Council will strive to set out a time for public participation at an agreed time when members of the public are invited to speak. The Council will normally set aside 10 minutes in each Parish Meeting unless there is a specific and urgent reason which the Chair has confirmed.
- vii. The Council strongly advises member of the public to contact the Clerk to discuss any issues before attendance to ensure that they are aware of the process.

2. RESIDENTS OR MEMBERS OF THE PUBLIC SPEAKING AT MEETINGS

- i. 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 following a temporary adjournment of the meeting, both at the beginning and end of the meeting.
- ii. Public participation is an opportunity for members of the public to
 - a) make representations
 - b) answer questions
 - 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.



- iii. 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.

3. PROCEDURE FOR A MEMBER OF THE PUBLIC TO SPEAK OR RAISE ISSUES AT COUNCIL MEETINGS

- i. If at all 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.
- ii. 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.
- iii. 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.
- iv. The time for the public to speak is limited to 10 minutes and there are opportunities for public participation at both the beginning and end of the Parish Council meeting. 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.
- v. 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.
- vi. 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.

- vii. 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:
- a) if it is matter the Parish Council can legally consider and make any decisions on
 - b) if it is matter which can be referred by the Clerk to another authority
 - 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.
- viii. 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.
- ix. **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.**
- x. 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.
- xi. 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).

4. REMOTE PARISH COUNCIL MEETINGS

- i. While most meetings of the Council will be held in a face to face manner, there are certain occasions or scenarios where the Chair and the Clerk feel that the meeting would be better served by being held digitally - usually by Zoom.
- ii. Just as members of the public are allowed to be present for Full Council meetings as per their rights as dictated in the Public Bodies (Admission to Meetings) Act 1960, they will also have the right to be 'virtually' present for any meetings held by a digital or remote mechanism.
- iii. This was confirmed in the Government regulations that give local authorities greater flexibility in the conduct of meetings, including allowing members to attend remotely, and for public and press access to those meetings. These 'Regulations' (The Local



Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020) came into force on 4 April 2020.

- iv. Full details and provisions of how the digital or remote meetings are held are noted in ANNEX A of this policy.

5. DEALING WITH 'BAD BEHAVIOUR' AT A COUNCIL MEETING

- i. All person's 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.
- ii. 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.
- iii. Members of the public disturbing a Council meeting will be dealt with as follows:
 - a) The Chairman will ask the member of the public to desist in any behaviour considered to be disrupting the meeting. The Chairman will notify the person of the consequences of not desisting in their behaviour
 - b) If the behaviour continues Council can resolve, without discussion, that the person(s) withdraw from the meeting, or be removed. A Councillor will propose this and the Council will approve is they it appropriate
 - c) 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.
 - d) The Clerk will then write to the complainant (if the name and address of the person in question and advise them of the decisions of the Council and remind them of the requirement to act with respect towards every person in the Council and within the meeting. They will also be advised that if there another occasion when they are asked to be removed from the meeting, the Council will seek advice from the NALC as to their option for semi-permanent and permanent options.



ANNEX A

Guidance for members of the public to 'virtually' attend the Full Council Meeting.

A) Before the Meeting

- i. Before the meeting the Agenda will be placed on the website and on the notice board (if possible) as normal (i.e. with three clear days of notice).
- ii. Any member of the public and press who wishes to attend the meeting will need to download Zoom. Please visit <https://zoom.us/meetings> where you will be able to download the App.
- iii. The website gives tutorials and demonstrations on how to download Zoom and how to join meetings.
- iv. The Clerk will put a link, on the website, to join the Zoom meeting by 5pm of the day of the meeting. The Clerk will also include the meeting ID and password.
- v. Members of the public are welcome to send any questions or comments to the Clerk prior to the meeting via email to, or by calling the Clerk. These must be received by 5pm on the day before the meeting.
- vi. The Clerk will present any representations received to the Councillors to address.

B) The meeting

- i. The Chair of the Council or a Committee will Chair the meeting.
- ii. The Clerk of the Council will host the meeting on Zoom.
- iii. Members of the public will enter a "waiting room" on Zoom and wait for the Clerk to approve their attendance. It would be helpful if members of the public could "name their videos" so that the Chair and Clerk can refer to them correctly.
- iv. All attendees will be muted on entry to the meeting.
- v. Members of the public will be able to make representation during the public forum.
- vi. Members of the public will be asked to "put their hand up" using the icon on Zoom if they wish to speak during the public forum.
- vii. The Clerk will "unmute" members of the public who wish to speak at the instruction of the Chair.
- viii. At the conclusion of the public forum the Clerk will "mute" all members of the public.

C) Points to note for the meeting held digitally or remotely

- i. The required standards of behaviour and discussion are the same whether in remote or face-to-face meetings.
- ii. Members of the public who use or display inappropriate or offensive language and/or behaviour will be removed from the meeting to the waiting room. This includes any inappropriate backdrops on display on the video.
- iii. The Council will discuss, via email, prior to the meeting any items which are considered



- iv. sufficiently confidential as to warrant exclusion of members of the press and public under the provisions of The Public Bodies (Admission to Meetings) Act 1960 and will advise of the outcome of any discussions at the meeting.

D) After the meeting

- i. The Clerk will take the minutes of the meeting as usual.
- ii. Members of the Council and the Clerk will review how the meeting went and may make some changes to the process if necessary.