

# **Public Participation at GOSFIELD Parish Council Meetings**

## **In accordance with Standing Orders**

Members of the public have a legal right to attend meetings of a parish council and its committees except, where they are excluded (by a resolution of the meeting) for specific items which need to be discussed in confidence. For example, staffing matters or tenders for contracts. They have no legal right to speak at meetings of the council or its committees. However, as part of its community engagement Gosfield Parish Council provides for public participation.

It is not a good use of time for members of the public to complain about hedges, street lights, pot-holes and so forth during public participation. Gosfield Parish Council have an easy way for people to contact the clerk about such issues so the participation is best used for issues where a decision will or could be made by the council, or for comments on items already on the agenda. Principal authority councillors have no special rights at local council meetings. Gosfield Parish Council provides for principal authority councillors to report on current issues within the agenda.

It is undesirable to allow members of the public to speak throughout the meeting as this runs the risk of confusing the roles of councillors, who participate in the meeting, and members of the public who observe it. A specific time has been set aside for public participation and standing orders say that the time will not exceed 15 minutes, with individual contributions being limited to 3 minutes, this time has been provided within the agenda. If there is a possibility that a large number of people will wish to speak, the chairman could encourage people not to repeat comments made by earlier speakers, or even ask for a single representative to be appointed. Even a large number of people will run out of original things to say quite quickly. It is up to the council when to allow public participation. The public participation is placed near the start of the meeting immediately after declaration of interests, so that everyone is aware if a member has a pecuniary or non-pecuniary interest. Comments made during public participation should be (very briefly) minuted; there is certainly no need for a verbatim record. There is no need to minute the names of members of the public who speak but many councils do so. Libellous, offensive and discriminatory comments should not be minuted as the council is liable for what is in its minutes even if someone else said it.

Neither councillors nor the clerk should feel under pressure to respond immediately to comments made during public participation. A comment could be referred to the clerk to write, or a member of the council could give an oral comment in accordance with (Standing Order 3 item h). Members of the public do not have a right to force items onto the council agenda but Gosfield Parish Council will do its best to respond to public concern in some way.

The public have a legal right to attend council and committee meetings but they don't have a right to disrupt them. Members of the public should not heckle or otherwise disrupt and should respect the rulings of the chair. The chairman of any meeting has an inherent right to exclude a disorderly person (Standing Order item 2, a to c).

The public have a legal right to be present so excluding one or more of them should be a last resort. Alternatively, if there is serious disorder the chairman could adjourn the meeting for a short time to allow people to calm down. If the clerk or chairman knows that a meeting will be very contentious the police could be asked to attend as it is unwise for anyone except a police officer or PCSO to try to exclude someone physically and this could give rise to court action. Disorderly members of the public cannot be excluded from future meetings, nor can they be required to apologise before attending future meetings.

### **Re-Adopted**

Date 20<sup>th</sup> May 2019

Minute Reference 19/084 Item C

Signed .....Chairman

Review Date: May 2020