

Chiselborough Parish Council

Public Participation at Chiselborough Parish Council Meetings

Members of the public have a legal right to attend meetings of the 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 the parish council will set aside time for public participation at meetings. The council has adopted paragraph 12(2) of the Model Code of Conduct, which permits councillors with a prejudicial interest in an agenda item to speak during public participation (and then leave the room when the item is considered).

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. The easy way for people is to contact the clerk about such issues so the participation can be best used for issues or comments on items already on the agenda.

Principal authority councillors have no special rights at local council meetings, but time will be set aside for them to report on current issues.

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. A specific time should be set aside for public participation and which will not exceed 15 minutes, with individual contributions being limited to 3 minutes.

Comments made during public participation will be briefly minuted but comments of a libellous, offensive or discriminatory nature will not be minuted as the council is liable for what is in its minutes even if someone else said it. Public comments of a personal nature will not be tolerated or reported.

Neither councillors nor the clerk shall feel under pressure to respond immediately to comments made during public participation other than those which relate to items on the agenda. Any comments will be referred to the clerk to write to, or meet the speaker, or form the basis for an agenda item at a future meeting. Members of the public do not have a right to force items onto the council agenda but the council will want 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 the meeting has an inherent right to exclude a disorderly person. The public have a legal right to be present so excluding one or more of them will be a last resort. Alternatively if there is serious disorder the chairman could adjourn the meeting for a short time or postpone the meeting 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.

Reference:

Yatton Parish Council

The Clerk Magazine September 2011 – Society of Local Council Clerk