



Bishop Middleham
& Mainsforth

BISHOP MIDDLEHAM PARISH COUNCIL

Public Participation at Meetings

DOCUMENT CONTROL	
Version Number	V1
Adopted on	8 th Nov 2023
Next Review	Nov 2024



Bishop Middleham Parish Council

Public Participation

Welcome to Bishop Middleham Parish Council's Meeting.

There should be an Agenda for this meeting with this notice so that you can follow the proceedings – if there is not one available, please ask the Parish Clerk.

You will notice on the Agenda that there is an item for Public Participation. At this point the Chair will ask if there are any short points/comments that you would like to raise. Please note that this is not a question and answer or a debating time, rather an opportunity for you to make your views known to Council members or to bring forward new ideas which you would like members to discuss.

If possible, the Chair will give an immediate answer if he or she is able to, but the council cannot take a decision as such at that time. If the item is already on the agenda, then discussion on the matter and possibly a resolution will take place at that point in the meeting. (In accordance with our Standing Orders – no decision can be taken without prior notification on an agenda.)

It is more probable that your comments will be noted and passed onto the relevant persons / authority.

If you have any minor issues i.e. street lights not working, litter problems etc. then please write a short note and leave with the Clerk and this will be dealt with immediately.

Thank you for attending the meeting.

Anne Hall
Parish Clerk

Standing Orders in respect of Public Participation

3. MEETINGS GENERALLY

- d. **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e. Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- f. The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed 20 minutes unless directed by the chairman of the meeting.
- g. Subject to standing order 3(f), a member of the public shall not speak for more than 5 minutes.
- h. In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- i. A person shall raise their hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The chairman of the meeting may at any time permit a person to be seated when speaking.
- j. A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- k. Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.

Public Participation at Parish Council Meetings

A Parish Council Meeting

The following may offer some assistance to members of the public to understand how a Council meeting works.

The role of the Parish Council

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.

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. Bishop Middleham Parish Council is made up of 9 Councillor seats, managed by a Chairman.

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. They have no legal right to speak unless the Parish Council Chair authorises them to do so. However, as part of its community engagement, Bishop Middleham Parish Council sets out a time for public participation at an agreed time when members of the public are invited to speak.

We hope that you will find Council meetings useful and if you have any queries please consult the Clerk.

Are residents allowed to speak or contribute?

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. Public participation is an opportunity for members of the public to (a) make representations, (b) answer questions or (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.

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.

Procedure for a member of the public to speak or raise issues at Council meetings?

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.

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.

When the meeting reaches the agenda item of 'public participation', the Chair 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.

The time for the public to speak is limited to 20 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.

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 Chair has the right to say that any question or statement is inappropriate and will not be accepted.

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.

When all the members of the public have spoken in the public participation section, the Chair will resume the meeting. At this point the Council may discuss the item(s) raised by the public, and consider:

1. if it is matter the Parish Council can legally consider and make any decisions on;
2. if it is matter which can be referred by the Clerk to another authority, or;
3. 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.

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.

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.

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 Chair. 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).

What about 'bad behaviour' at a Council meeting

All persons 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. 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.

Members of the public disturbing a Council meeting will be asked by the Chair to desist in any behaviour considered to be disrupting the meeting. If the behaviour continues Council can resolve, without discussion, that the person(s) withdraw from the meeting, or be removed.

If a meeting becomes unmanageable because of interruption, or impossible to be continued due to disturbance or disregard for the Chairs 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.

