

South Lakeland District Council

Public Participation Scheme at Meetings

FREQUENTLY ASKED QUESTIONS

July 2008

What is the General Public Participation Scheme?

These are the guidelines which allow people to address meetings of the Council. Public participation means either -

- asking a question;
- presenting a petition;
- presenting a deputation; or
- making a comment.

How do I apply to take part in Public Participation at a meeting?

Your request to speak at a meeting must be received by the Democratic and Member Services Manager before the commencement of the meeting. This can be orally or in writing but please note that priority will be given to those requests which have been submitted in writing. Email or fax is also acceptable (details are at the end of this leaflet).

You need to provide the following information when you make your request -

- your name and address;
- a telephone number where we can contact you, if necessary, during office hours;
- tell us if you are asking a question, making representations, or presenting a deputation or petition;
- we need to know what you wish to talk about and, in the case of a question, what you are going to ask;
- if you are part of a deputation we need to know the names of the other members of it (please note – due to the limited space at meetings, deputations are restricted to a maximum number of 5 people); and
- if you are presenting a petition to a meeting it has to be signed by at least 30 people and they all have to be on the current register of electors for the district. Only one of the people who have signed the petition can speak on behalf of the petitioners.

Can anybody speak during Public Participation?

The Scheme allows the following people to talk at meetings i.e. -

- A resident who is also listed on the current electoral register for the district;
- A person who is listed on the current electoral register for the district;
- a person who is acting as a representative for a group or organisation which is based in the district;
- a person who is acting as a representative of one of the town or parish councils within the district;
- a person who represents a business which pays rates to the District Council; or
- anyone else who does not fall within any of these categories provided that the Chairman of the meeting has given their approval.

Are there any meetings which I am not allowed to speak at?

There are a few meetings which do not allow people to address them. These are -

- The Annual Council meeting – because this meeting does not include general items on it;
- Meetings which have entirely separate public participation procedures e.g. Standards and Licensing Sub-Committee meetings;
- Regulatory Committees e.g. Planning Committee which operates their own public participation procedure;; and

- Committees which deal with administrative, financial, ethical affairs and personnel issues i.e. Audit, Accounts, Standards, Human Resources Committees and the Overview and Scrutiny Co-ordination Board do not have a public participation scheme, but members of the public may be allowed to speak on a particular issue at the discretion of the Chairman.

Also, if its decided by the meeting that the press and public should be excluded for a reason specified in the Council's Access to Information Procedure Rules, then only the Members of the meeting and appropriate officers are allowed to remain. This means that public participation cannot be permitted. The sort of business which this would cover would be, for example, if the financial affairs of a person were to be discussed.

What issues can be raised under the scheme at the meeting?

Any questions, representations, deputations and petitions must relate to matters which the meeting has the power to deal with.

Questions have to be about matters which the District Council is responsible for or about something which affects the District.

How do I know which Committee deals with the matter I want to talk about?

The Council's Constitution sets out the responsibilities for decision-making. This can be viewed on the Council's website – www.southlakeland.gov.uk. If, however, you are still not sure after reading this, the Democratic and Member Services Manager (contact details below) can advise you further.

How long is allowed for public participation at meetings?

A period of 15 minutes is set aside towards the start of applicable meetings for public participation. However, the person who is chairing the meeting has the power to extend this time if they feel it is appropriate.

Is there a time restriction on how long a person can speak to the meeting?

Yes, each speaker is allowed 3 minutes to put their point to the meeting. If you are speaking on behalf of a group of people who share your views and you have their authority to represent them, you can have up to 5 minutes.

But, if you are presenting a petition to the meeting, you will be allowed 5 minutes to talk to the meeting about it.

However, the person who is chairing the meeting has the power to extend the time you are allowed to speak if they feel it is appropriate.

How can I arrange to speak on behalf of other people?

If there are a number of people who share your views and you wish to represent them as a spokesperson at the meeting, you must let the Democratic and Member Services Manager have signed, written permission from them all, either when you make your request to speak at the meeting, or immediately before the meeting commences at the latest.

Are there any restrictions on who can be considered as part of a “group”?

Yes. You cannot speak on behalf of the following even if they have given you written approval to do so -

- a partner or a member of your family;
- a business associate; or
- a member of the same organisation.

Is there a system for the different types of representation people want to make at meetings?

Yes, people who want to ask questions are heard first, followed by people who want to make a representation, then deputations and finally presenting petitions.

Within each category of questions, representations, deputations and petitions, speakers are allowed to address the meeting in the order that their request to do so has been received by the Democratic and Member Services Manager. However, priority will be given to those requests which have been made in writing to the Democratic and Member Services Manager.

What happens if the 15 minutes have expired but my turn has not come?

The Democratic and Member Services Manager will ask the appropriate Council officer to give you a written response within 7 working days of the date of the meeting.

Are there any circumstances where my request to address the meeting could be refused?

Normally, provided you have applied in the correct manner and wish to address the correct meeting, your request will be allowed. However, the Council's Monitoring Officer has the right to omit or refuse your request if it is felt that it includes something which appears to be defamatory, frivolous, offensive or for any other legitimate reason. In the unlikely event that this does happen, we will write to you to explain why it has been necessary to do this.

Will I be contacted about my request to address the meeting?

Where time permits, we will let you know where and when the meeting is being held.

What will happen after I have addressed the meeting?

There are a number of ways in which your issue will be dealt with. Usually one or a mixture of the following might happen -

- either the Chairman or officers at the meeting might answer your question, or address the points raised;
- there may be an item on the agenda for the meeting about the same issue and the meeting will give it further consideration when it deals with the item;
- if the meeting feel that the issue could be better dealt with by another Committee, the meeting may resolve to ask that Committee to respond; or
- the Chairman may feel that a written response is the best way to deal with the matter and, in this case, you will normally receive a written reply with 7 working days of the date of the meeting.

I have requested to speak at a meeting but now find that I can't attend on that day. What can I do?

Contact the Democratic and Member Services Manager as soon as possible about it. Usually, you will be able to arrange for someone else to attend the meeting for you, but, if this is not possible, you can ask to speak at the next meeting instead.

I spoke at the last meeting, am I able to speak on the same issue at the next meeting?

No. If you have spoken at a meeting about a particular issue, you cannot use the public participation scheme to speak about it again to the same meeting for 6 months.

Someone else has already used Public Participation at a previous meeting on a topic that I want to talk about. Can I still request to speak on it?

Where an issue has been the subject of a Public Participation item at a meeting, the same subject, or a related issue, cannot be raised at any subsequent meeting without the express consent of the Chairman. So, you would need to ask the Democratic and Member Services Manager to put your request to the relevant Chairman on your behalf.

My question is not in this leaflet – what should I do?

Contact the Democratic and Member Services Manager if you have any further questions not covered here

Points to Note

Public participants taking part in meetings and debates are not subject to the rule called privilege. This means, each individual who makes a presentation or addresses the committee should make themselves aware of the laws of defamation and slander.

Disruptive behaviour may result in the meeting being adjourned and/or the individual being asked to leave the meeting/ building.

The use of video, tape recorders and cameras are not permitted during meetings unless the express permission of the Chairman has been obtained before the meeting starts.

All mobile phones must be switched off during meetings.

CONTACT DETAILS

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