

Public Participation Scheme

Summary

- 1 This report seeks Members' views on proposed changes to the public participation scheme within the Constitution.

Background

- 2 The Council allows members of the public to speak during a public participation session at public meetings of Council, Cabinet and most Committees, task and working groups. This is not a statutory right but one afforded by the Council. The rules relating to this are set out in the procedure rules for Council and Cabinet/Committee meetings and elaborated in the Public Participation Scheme.
- 3 The rules make very little reference to the appropriate content of contributions. The Chair of each meeting does though have a general power at common law to control proceedings and maintain good order. Currently, however, the Council's rules give Chairs minimal guidance on how they should use those powers in relation to citizens using the public participation rights. Similarly citizens are given very little guidance on areas that would be considered unacceptable. To address this gap the Committee is being asked to support the following rules being adopted:
 - a) Participation is to allow members of the public to engage with decision-making and speakers should avoid making party political points.
 - b) Anyone using the public participation rights must ensure that what they say is factually correct.

c) Public participation rights must not be used to:

- Raise an issue which is not a matter for which the City of York Council is responsible for or does not affect the City
- Say anything which is defamatory, frivolous, discriminatory or offensive
- Criticise the conduct or performance of an individual (including a Council officer) who is not in a position to respond at the meeting
- Disclose confidential or exempt information including personal information about an individual other than yourself
- Raise an issue which has been raised in the recent past without good reason

Consultation

- 4 This report is coming to this Committee for consultation prior to it being presented to Council for approval.

Options

- 5 The Committee may express support for the current proposals or suggest amendments or additions.

Analysis

- 6 Not relevant for the purpose of the report.

Corporate Priorities

- 7 This report contributes to the corporate objective of making the Council an effective organisation.

Implications

- 8 **Legal** – the public participation scheme forms part of the Council's current constitution.

Recommendation

- 9 Members are asked to:

Support the proposed amendment to the public participation scheme described in the report and recommend the change to Council

Reason

To ensure that the Council has clear arrangements in place for public participation.

Contact Details

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**Report
Approved**



Date 27/11/13

Wards Affected: Not applicable

All



For further information please contact the author of the report

Background Papers

None