

## Section 8 – Public Guide to Participation

5.8.1 A healthy democracy depends upon active citizenship. Citizens are encouraged to make conscientious use of their roles as both voters and members of a wider community, and this guide gives an overview of the ways in which you can do that.

### **5.8.2 Attending meetings**

5.8.3 We encourage the public to attend meetings of the council and its committees, and anyone attending is able to record or film what takes place at them provided that doesn't disrupt the meeting. Details of what meetings are coming up are published on the council's [website](#), and also published in public offices of the council.

5.8.4 The agenda and papers are normally published on our website at least five working days in advance of the meeting and a small number of copies are available for members of the public at the meeting. Draft minutes of the meeting are also published on the website as soon as possible after the meeting.

5.8.5 [not used].

### **5.8.6 Why are some meetings private?**

5.8.7 Nearly all meetings of the council and its committees are held in public. However on rare occasions an agenda item includes information which may be personal to an individual, which would compromise the commercial position of the council or another individual or organisation or which there are other particular legal or employment reasons for considering asking the public to leave the meeting for discussion of that item. When this is the case we will explain the reasons why and, as far as is legally possible, will afterwards provide a public summary of the decision taken.

### **5.8.8 Asking questions at meetings of the council**

### **5.8.9 Which meetings can the public ask questions at?**

5.8.10 Questions can be asked at public meetings of:

- Full Council
- Audit and governance committee
- Cabinet
- Employment panel
- Health and wellbeing board
- Scrutiny committees

**5.8.11 Who can ask questions?**

5.8.12 Appropriate Questions questions can be put by anyone living or working in Herefordshire and any elected member of Herefordshire Council

**5.8.13 What notice is required for questions?**

5.8.14 A question must be delivered by email ([councillorservices@herefordshire.gov.uk](mailto:councillorservices@herefordshire.gov.uk)) or in writing to the monitoring officer, Herefordshire Council, County Offices, Plough Lane, Hereford, HR4 0LE or by no later than ~~5pm~~ 9.30 am three working days **before** the date of the meeting. Each question must provide the name and address of the questioner. See table below

<u>Meeting Day</u>	<u>Question deadline</u> Time: 9.30 am in all cases
<u>Monday</u>	<u>Wednesday</u>
<u>Tuesday</u>	<u>Thursday</u>
<u>Wednesday</u>	<u>Friday</u>
<u>Thursday</u>	<u>Monday</u>
<u>Friday</u>	<u>Tuesday</u>

The Council's Monitoring Officer will reject questions which are not submitted in writing, within the time limit. You will be notified if your question, is rejected for these reasons and you may be able to re-submit your question, provided your question is in accordance with constitution rules relating to public questions.

**5.8.15 How many questions can be asked?**

5.8.16

One question and one supplementary question per person is allowed at any public meeting of the council as listed above. Questions must not take longer than one minute to ask or to read out.

~~A member of the public may ask one question at any public meeting of the council as listed above.~~

**5.8.17 What is the purpose and scope for questions?**

5.8.18 The purpose of questions is to enable both members of the public and any councillor to ask ~~any member of~~ the council about an issue that is of local concern, that has not been raised within the last 6 months and is the most practical way of progressing ~~the members~~ concerns.

Questions ~~must should~~ relate ~~to the to~~ the function of the committee or relate to a matter on the relevant agenda. The monitoring officer can redirect questions to

~~the correct meeting. They should be of function of the committee where they are being asked a strategic nature, i.e. A question not personal to the questioner or a person employed by the council. Questions at full Council can be addressed to any chairperson or cabinet member and must relate either to something that the council is responsible for or that affects the county. It is accepted, that questioners may highlight their experiences to support their question. Questions may include requests for the provision of access to a published report, designated background paper or report commissioned by the Council.~~information.

5.8.19 ~~We will not consider any appropriate question.~~

~~The Monitoring Officer will reject a question if it is not appropriate to be asked at a public meeting, reasons for rejection may include but are not limited to:~~

- ~~1. It is not about a matter for which the council has a responsibility, or which affects Herefordshire; or~~
- ~~— It is defamatory or potentially defamatory, frivolous or offensive; or~~
- ~~— It is substantially the same as a question posed to a meeting of the Council in the past six months; or~~
- ~~2. It requires the disclosure of confidential or exempt information; or~~
- ~~3. It relates to an identifiable individual or employee of the council; or~~
- ~~4. it is more than 140 words; or~~
- ~~5. It relates to a planning or licensing application.~~

~~If a question is rejected because it is not appropriate (the Monitoring Officer will give the reason(s) for the rejection)~~

~~that is defamatory, offensive or frivolous. Additionally, we will reject a question which is substantially the same as a question which has been put at any meeting of the council in the last six months, is in multiple parts, is longer than 140 words, or requires the disclosure of confidential information or relates to an identifiable individual, is from a member of staff and relates to their employment, relates to a planning or licensing application or if at a meeting other than full Council does not relate to the function of the committee or a matter on the relevant agenda.~~

~~If your a question is rejected, you the questioner will be told before the start of the meeting and given the reasons why.~~

**5.8.20 What happens at the meeting?**

5.8.21 Time is made available early on the agenda for any accepted questions to be dealt with. Copies of any questions and answers will be published on the council's website before the start of the meeting, and will be made available to members of the public who attend the meeting.

5.8.22 The chairperson will invite the questioner to put a supplementary question to the councillor named in the notice. If the questioner is unable to attend the meeting, no supplementary question will be permitted.

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5.8.23 A questioner who has put a question in person or in writing can also ask one supplementary question, without notice, in response to the reply to their question. A supplementary question must arise directly out of the original question or the reply given. The chairperson ~~if appropriate questions and~~ can reject a supplementary question in consultation with the Monitoring officer/deputy monitoring officer/legal officer in attendance at the meeting on any of the grounds detailed in the section above.

#### **5.8.24 What form will the reply take?**

5.8.25 The answer may be either a direct oral answer, a referral to an existing publication, or if the question requests service information a referral to an officer to respond in writing. If the reply cannot conveniently be given orally, if the questioner or the member to whom the question is put is absent, or the time allowed for public questions has expired, a written answer will normally be provided within ten clear working days.

5.8.26 There cannot be any discussion on questions but any matters raised by a question can be referred to the relevant cabinet member or the appropriate committee to consider.

#### **5.8.27 Petitions**

5.8.28 We welcome petitions from those who live or work in Herefordshire and recognise that petitions are one way in which people can let us know their concerns or the strength of public feeling.

#### **5.8.29 What is the scope for petitions?**

5.8.30 Petitions must relate to a matter over which the council has powers or duties and may be rejected if they: contain language or statements which are defamatory, frivolous, vexatious, discriminatory, false, or otherwise offensive; disclose confidential or exempt information; name individuals, or provides information where they may be easily identified, e.g. individual officers of public bodies; make criminal accusations; contain advertising statements; refer to an issue which is currently the subject of a formal council complaint, Local Government Ombudsman complaint or any legal proceedings; or relate to a matter where there are other statutory processes in place for dealing with these matters (such as planning or licensing application matters or statutory petitions for a referendum).

#### **5.8.31 How can a petition be submitted?**

5.8.32 Petitions may be paper based or online and an online facility for running a petition is provided on the council's website. There is no standard format for a petition but it must include:

- a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish us to take;

- the name and address and signature of any person supporting the petition, which must be not fewer than 15 people; and
- contact details, including an address, for the petition organiser who will be the person we will contact to explain how we will respond.

5.8.33 The chairperson of the council is available to receive petitions before the start of each ordinary meeting of full Council; if you wish to arrange this please contact: [councillorservices@herefordshire.gov.uk](mailto:councillorservices@herefordshire.gov.uk) . During the meeting, as part of chairperson's announcements, any petitions received will be formally passed to the relevant cabinet member or committee chairperson who will respond in writing to the petition organiser. You may ask your ward councillor to present the petition on your behalf. Petitions may also be sent in to:

Democratic Services Manager  
Herefordshire Council  
Plough Lane  
Hereford  
HR4 0LE

Or scanned and emailed to: [councillorservices@herefordshire.gov.uk](mailto:councillorservices@herefordshire.gov.uk)

#### **5.8.34 What happens once a petition has been submitted?**

5.8.35 All petitions sent or presented to the council will receive an acknowledgement within 10 working days of receipt explaining how we will respond.

5.8.36 Details of all petitions received, and of our response, will be published on the website. The contact details of the petition organiser or signatories to a petition will not be placed on the website.

5.8.37 If your petition has been signed by a certain number of people who are registered to vote in the county then you may request that the petition is scheduled for debate at the next ordinary meeting of full Council. If that is the case up to 30 minutes will be allowed for the debate and the petition organiser will have the opportunity to briefly present the petition at the start of the debate. In order to be debated at a meeting of full council the number of Herefordshire electors who have signed the petition must be at least 5% of those on the electoral roll for the county.

#### **5.8.38 What do councillors and officers do?**

##### **5.8.39 What councillors do....**

5.8.40 Councillors are directly elected to represent the people and therefore have to consider not just the interests of their ward, but those throughout the whole county.

5.8.41 Your councillors are responsible for making sure that the services that the council provides meet the needs of residents and those who work in Herefordshire. They

do this by setting the overall policies and strategies for the council and by monitoring the way in which these are implemented. Councillors have a complex role and act in a number of capacities: as committee member, constituency representative and party activist.

5.8.42 The full Council of 53 members is responsible for agreeing the main policies and priorities for all services, including the council's budget. The cabinet have responsibility for all decisions which the law, or the Council, does not require to be taken by others and agrees policies and actions to implement the budget and policies set by full Council. Councillors who are cabinet portfolio holders have more specialised roles in agreeing particular policies, representing the council while at the same time working with other agencies to tackle issues such as improving overall health and wellbeing, social care and safeguarding, education, housing, transport, and promoting economic growth within the county.

#### **5.8.43 What council officers do....**

5.8.44 Council officers are the professional people who work for the council and who are paid to deliver the services agreed by councillors.

5.8.45 Officers help councillors to develop policies and objectives through providing professional expertise and advice but they must remain impartial and serve the council as a whole. Their main role is to provide the public with the highest possible standards of service within the budget that the councillors set and in accordance with the priorities agreed by the councillors.

#### **5.8.46 What can my councillor do for me?**

##### **5.8.47 Your councillor can:**

- be contacted to discuss your problem or ideas to improve the ward or county
- help you if you need information or are dissatisfied with a council service by advising or directing you to someone who can help sort out your problem, and can sometimes progress the case on your behalf
- as a community leader, put forward proposals to improve the ward they represent which may include bringing together different community groups to develop a case for change
- campaign on local issues
- represent your community within the council and to other organisations
- speak at planning and regulatory committee on matters affecting the ward they represent
- ask questions or put forward views on your behalf at public meetings of the council
- present petitions on your behalf
- get an issue (either within the remit of the council or on a matter affecting the county) debated at full Council by submitting a motion.

#### **5.8.48 Decisions**

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**5.8.49 How do I know what decisions are being taken about matters that affect me or where I live?**

5.8.50 We provide on our website ([Forward Plan](#)) summary information about future significant decisions to be taken by the cabinet, together with contact details so that you can find out more information or provide your views. You can also contact your ward member and ask them to put forward your views on your behalf.

5.8.51 Planning or licensing applications which have been submitted are also published on the council's website so that those who may be affected are able to make comments on the proposal.

5.8.52 The agendas and minutes of meetings are published on the website, and where a decision has been taken by a cabinet member or officer, the decision report and notice of the decision are published on the website.

**5.8.53 Are all decisions recorded and published?**

5.8.54 Many are, but there are lots of day to day decisions which are not published. The council has decided that officer decisions with a financial value of less than £50,000 will not be published unless there is a legal requirement to do so. This is because the number of such decisions would make it impractical to publish.

**5.8.55 Why is some information kept confidential?**

5.8.56 We aim to publish information unless there is good reason not to. Sometimes a decision takes into account information which may be personal to an individual, or which would compromise the commercial position of the council or another individual or organisation. There may be particular legal or employment reasons for not making the information public. When this is the case we will explain why the information cannot be made public, and will periodically review whether those reasons remain valid. If they do not we will then release the information.

**5.8.57 How long is information about decisions kept?**

5.8.58 Generally the law requires information to be available for public inspection for six years from the date of the decision.

**5.8.59 How do I find out about decisions taken by partnerships?**

5.8.60 Herefordshire Council works with a wide range of partners to achieve shared objectives in an efficient and effective way. We keep a register of strategic partnerships on our website which includes information about where decisions taken by those partners is recorded and how you can find out more about them.

**5.8.61 What if I can't find the information I am looking for?**

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- 5.8.62 The Freedom of Information Act 2000 gives you a general right of access to all types of recorded information that we hold. More information about how to make a request, and about your other legal rights to information, can be found at: [Access to information](#).
- 5.8.63 Other ways of getting involved**
- 5.8.64 Planning**
- 5.8.65 Information about planning applications submitted is available on the council's website and public notices are displayed in the area affected. You may submit comments on a planning application which will be considered by the decision-maker. If the application raises unusual or sensitive planning issues you can ask your ward member to request that the application is considered by the planning and regulatory committee rather than a single officer.
- 5.8.66 If you have provided comments on a particular planning application which is considered by the planning and regulatory committee you will be asked whether you wish to register to speak at the committee to present your views. Three minutes is generally set aside for public speaking in objection to an application. Registration is on a first come first served basis. The time can be shared with the agreement of the person who has registered first.
- 5.8.67 Consultations**
- 5.8.68 The council encourages as many people as possible to give their views on decisions which affect them. Details of live consultations and how to get involved are available on the council website at [Get Involved](#). You can also find information about past consultations there.
- 5.8.69 Scrutiny reviews**
- 5.8.70 You may request that a matter or concern be considered for inclusion in the future work programme of a scrutiny committee. The committees cannot include every suggestion but prioritise items taking into account: the significance and impact of the issue; the ability of scrutiny input to add value; the need to avoid any duplication; the timeliness of scrutiny involvement and the resources available to undertake the work.
- 5.8.71 The committee may invite members of the public to submit their views or evidence to inform its work; when they do this the call for evidence will be publicised.
- 5.8.72 Vote**
- 5.8.73 Elections take place for Herefordshire Council and all the town and parish councils in the county every four years as well as national elections, and police and crime commissioner elections. Your vote in all these elections and any other referendums that take place is important, but in order to vote you must be on the
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electoral register. Information about how to register is available at [Register to Vote](#).

**5.8.74 Stand for election**

5.8.75 If you are interested in standing for election as a parish councillor or as a Herefordshire councillor you can find out more at [Standing as a Councillor](#).

**5.8.76 Volunteer**

5.8.77 We provide a wide variety of services to people in Herefordshire, particularly to those who are vulnerable and have complex needs. As more pressure is placed on our budget, and on the budgets of partner organisations, different ways of delivering these services are being developed. Individuals and communities are doing more to help each other and themselves. If you are interested in volunteering or have an idea for your community you would like to develop more information is available at [Volunteering](#).

**5.8.78 Give feedback**

5.8.79 We want to hear what you think about our services. What you say is important and will help us improve our services. More information can be found at: [https://www.herefordshire.gov.uk/info/200148/your\\_council/50/contact\\_us](https://www.herefordshire.gov.uk/info/200148/your_council/50/contact_us)

**5.8.80 Find out more...**

5.8.81 The council's website provides lots of advice and information as well as access to online services and you can sign up to receive updates on particular matters of interest. If you can't find what you are looking for some useful contacts are below:

Customer services.....

[https://www.herefordshire.gov.uk/info/200148/your\\_council/50/contact\\_us](https://www.herefordshire.gov.uk/info/200148/your_council/50/contact_us)

Freedom of information.....

[https://www.herefordshire.gov.uk/info/200148/your\\_council/15/access\\_to\\_information/2](https://www.herefordshire.gov.uk/info/200148/your_council/15/access_to_information/2)

Governance.....

[https://www.herefordshire.gov.uk/info/200148/your\\_council/61/get\\_involved](https://www.herefordshire.gov.uk/info/200148/your_council/61/get_involved)

Find your councillor or parish council information

[https://www.herefordshire.gov.uk/info/200152/elections/219/election\\_information\\_for\\_your\\_area\\_search](https://www.herefordshire.gov.uk/info/200152/elections/219/election_information_for_your_area_search)

