

# Bradford on Avon Town Council



## Public Participation Policy at Council Committee Meetings

### Version Control

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## Introduction

Reflecting our values and ethos, the town council is committed to being clear and transparent in the way decisions are made.

The council also strives to be approachable – and to represent the town. Accordingly, members of the public are welcome to attend council meetings.

Members of the public are also able to speak at council meetings. And hearing from members of the public, can be helpful and valuable in helping the council to reach informed decisions.

There are rules and guidance for speaking at council meetings, which are explained in this policy. These are procedural elements of council meetings as well as governed by law.

## Attending and participating at council meetings

To begin with, it's important to note that council meetings are ***meetings of the town council which are held in public*** - but not meetings ***of*** the public. The council's meetings are the council's principal means for councillors to debate issues, formulate policies and make decisions, within its powers, on matters affecting Bradford on Avon Town Council or its governance.

The law allows members of the public and the press to attend council meetings. However, only elected councillors are allowed to vote in meetings. And while members of the public have a legal right to attend council meetings, there is no legal right that allows members of the public to speak.

However – as stated above - the town council warmly invites members of public to attend its meetings and – allows members of the public to contribute and participate during the public and councillor questions agenda item.

## Standing Orders

The town council is governed by its Standing Orders, which set out its rules, expectations and behaviour requirements have been outlined in the town council's standing orders: **Section 3 Meetings Generally** parts d-k, as follows:

- 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 30 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 2 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 his 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.

This policy will expand on the relevant standing orders to provide clear guidance regarding the involvement of the public in council meetings.

## **Which meetings can I speak at?**

Members of the public are warmly invited to attend Full Council meetings and committee meetings.

You can [find out more about Full Council and our current committees](#) on the council website.

## **How to get in touch to ask the council a question**

To enable the committee or the council to consider your question or information before they discuss an agenda item, it's helpful to have the question sent in advance of the meeting.

Ideally any public questions should be presented to the Town Clerk by the end of office hours on the day preceding the relevant meeting. This should be via email, letter, or in person. The council offices are open Mon-Fri and questions/service requests can be made at any time. This can be either in person, by email ([office@bradfordonavontowncouncil.gov.uk](mailto:office@bradfordonavontowncouncil.gov.uk)) or by telephone 01225 864240.

If you ask a question on the night (at the meeting) then councillors will have had less time to consider it.

Members of the public will be allowed entry to meetings 5 minutes before they are due to start. During this time, the meeting clerk will take details from those who wish to speak. There will be **no opportunity** to ask questions after the start of the meeting either during public questions or during subsequent agenda items if you have not registered your question with the clerk.

## **When can the public speak**

The public can attend and speak at all town council and committee meetings during the section for public and press questions and comments/statements. This is usually the first agenda item.

However, it is at the chair's discretion when the public may be invited to speak, which may, under certain circumstances be at an agenda item.

It should be remembered that ***it is not necessary to wait until a council meeting***; the council offices are open during normal office hours to deal with questions/requests.

### **Who can speak at meetings**

Anyone can attend a meeting and make a short statement or ask a question. If several people wish to make a representation together, a spokesperson should be chosen and the statement provided in advance. The Chair will direct the order of speaking inviting those listed to stand up (for those who can) to ask their question.

At the Annual Town Council (Town Gathering), ***only residents*** of the town can ask questions.

### **How long can the public speak for at a meeting**

As detailed specifically in the standing orders, the public participation session will last for a ***maximum of 30 minutes*** or longer at the chair's discretion, however individuals may only speak for a maximum of ***2 minutes each***.

### **How many questions can be asked**

If a member of the public wishes to ask several questions these should be supplied in advance.

At the meetings, 2 short questions may be asked or statements made. At the discretion of the Chair, there may be an opportunity to ask up to 2 supplementary/follow up questions.

The public should stand to make/ask their initial statement/questions and then take their seat. If there is a supplementary question this should be indicated with a raised hand. There is no opportunity for a debate except a member may ask that a matter raised by a question be referred to a committee or for an officer to respond.

## **What can be asked**

At Full Council meetings, questions/statements can be on any topic relevant to the council.

At committee meetings, questions/statements should only relate to items on the agenda.

Where written question(s) are presented, the Town Clerk or Chair of the meeting may reject questions if:

- (i) The question is not deemed 'short' enough (approximately 100 words)
- (ii) It is defamatory, frivolous or offensive
- (iii) It is substantially the same as a question answered at a previous council meeting
- (iv) It requires disclosure of confidential or exempt information
- (v) Responding to the question would entail disproportionate labour or cost
- (vi) The question relates to the circumstances of an individual case
- (vii) It is related to an investigation by the Monitoring Officer or Standards Committee
- (viii) Made on behalf of other individuals or organisations who are not able to attend. (In which case questions should be sent into [office@bradfordonavontowncouncil.gov.uk](mailto:office@bradfordonavontowncouncil.gov.uk))
- (ix) Service requests should be made via the town council offices.

## **When will responses to questions be given**

It is at the discretion of the chair when a question will be answered either at a meeting or a written response given at a later date. Questions provided in advance benefit from councillors having plenty of time to provide a more considered response.

All questions are summarised, with any response provided at the time, in an appendix to the meeting minutes.

## **Expectations during meetings**

Following the public questions agenda item, the public are requested to observe the rest of the meeting. There should be no interruptions to the order of business, chatting to fellow members of the public, or other disruptions or distractions. This will allow everyone to hear the debate clearly and without prejudice.

## **Confidential business**

The public and press will be asked to leave following the approval of a motion to start confidential business. (Public Bodies (Admission to meetings) Act 1960). The public should leave swiftly and calmly. There is no opportunity to speak to councillors at this time.

For the public and press to be excluded, the business to be transacted could be legally or commercially sensitive or be prejudiced by the public presence. The topics for discussion are published on the agenda.

## **Following the meeting**

Responses deferred until after the meeting will be considered as soon as possible and the requester contacted.