PART 2 – ARTICLES OF THE CONSTITUTION

ARTICLE 3 – THE LOCAL COMMUNITY AND THE COUNCIL

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1. RIGHTS OF MEMBERS OF THE LOCAL COMMUNITY

1.1 The rights of members of the local community are summarised in Part 1 of this Constitution and are set out in more detail in this Article. Their rights to information and to participate are explained in more detail in the Access to Information Procedure Rules in Part 4 of this Constitution.

(a) Voting and Petitions

People on the Electoral Register for the District have the right to vote in elections in their ward and sign a petition to request a referendum for a change from one form of governance to another. For a petition to be valid to require a referendum, the number of signatures to it must equate to no less than 5% of the electorate of the area. If there is such a referendum, registered electors will have a right to vote.

(b) Other Petitions

The Council has adopted a petitions scheme which is available on the Council's website. A petition can, amongst other outcomes, lead to a Council debate or the matter being considered by one of the Council's committees. The Council only accepts signatures to a petition from those who live, work or study in the District.

(c) Information

The public have the right to:

(i) attend meetings of the Council, its Committees and Sub-Committees and Panels, with the exception of working groups or forums set up outside of the committee structure, other than by invitation. However, where confidential or exempt information is likely to be disclosed the meeting, or part of the meeting, may be held in private. See also paragraph (e) below.

(ii) see non-confidential reports and background papers, and any records of decisions made by the Council.

(iii) inspect the Council's accounts as published by law and the Management Letter published by the Council's External Auditor and make their views known to him.

(d) Consultation and Participation

Article 8 sets out the range of consultation and participation opportunities available to the local community. In summary, the opportunity exists for local people to:

(i) be consulted on proposals for service delivery.

(ii) ask questions at Council meetings and speak on items of business at Committee meetings and Public Licensing hearings. Details are published on the Council's website.

(iii) submit a petition.

(e) Attendance by the public at Council and Committee Meetings

(i) Although meetings of the Council shall be open to the public as provided by statute (subject to the power to exclude by resolution the public during the whole or part of the proceedings in certain circumstances) the public shall not be admitted in excess of the number which the public accommodation can safely contain.

(ii) In accordance with the provisions of the Openness of Local Government Bodies Regulations 2014, any person attending a Council meeting which is open to the public, may report on proceedings and publish or disseminate the results. For the purposes of the Regulations, 'Reporting' includes filming and providing comments on proceedings and 'report on proceedings' means:

- filming, photographing or making an audio recording of the proceedings at the meeting,
- using any other means for enabling persons not present to see or hear proceedings at the meeting as it takes place or later, or
- reporting or providing commentary on proceedings at the meeting, orally or in writing, so that the report or commentary is available to persons not present, as the meeting takes place or later."

(iii) Open sessions of Council and Committee meetings are recorded and published on the Council's website. Members of the public attending the meeting with a view to speaking are deemed to be giving permission to be included in the recording.

(iv) The public and press shall be excluded from meetings whenever it is likely that the business to be transacted would result in the disclosure of confidential information. Confidential information means information given to the Council by a Government Department on terms that forbid its public disclosure or information which cannot be publicly disclosed by court order.

(v) The public and press may be excluded from meetings whenever it is likely that the business to be transacted would result in the disclosure of exempt information. Exempt information is defined and explained further in the Access to Information Rules.

(vi) Where the public are excluded by resolution from a meeting, in whole or in part, no person shall report proceedings using methods which can be used without that person's presence at the meeting, and which enable persons not at the meeting to see or hear the proceedings at the meeting as it takes place or later.

2. RESIDENTS' RESPONSIBILITIES

2.1 Responsibilities of Members of the Public

2.1.1 Members of the public must not be violent, abusive or threatening to Councillors or officers and must not wilfully damage property owned by the Council, Councillors or officers.