

## **SECTION 3**

### 3. Getting Information and Getting Involved

#### 3.1 Getting Information

##### 3.1.1 Information Available to Members of the Public

(a) When meetings of the member bodies will take place

A programme of meetings is available by contacting the Council direct, logging on to the Council's website or looking at the Council's notice board outside the Council Offices.

(b) Forward Plan

Find out from the Forward Plan what Key Decisions will be taken by the Cabinet or Council and what issues the Overview and Scrutiny Committee will be considering and when these matters will be discussed.

(c) Information available prior to a meeting

At least five clear working days before a meeting, the agenda, any report likely to be discussed and background papers to that report shall be available for inspection as detailed in Section 15.

(d) Information available at a meeting

Details of information available at a meeting are set out under Section 15.

(e) Information available after a meeting

For a period of six years the agenda, reports and the minutes of the meeting shall be available for inspection. The background papers shall remain open for inspection for a period of four years.

(f) Council's Accounts

During a 30 working day period that usually includes 1-14 June, any 'interested' person can inspect the Council's accounts and accounting records. Local electors may also inspect various reports issued by the auditors and ask questions of the auditor about the accounting records. Local electors can also make objections to the auditor where they believe that an item in the accounts is unlawful or they think that a public interest report should be made. The National Audit Office has produced a guide that further explains the public's rights in relation to the inspection of accounts.

Information which is confidential or exempt will not be disclosed to members of the public at any time.

##### 3.1.2 Information Available to Members of the Council

- (a) Members can see any information, which is available to a member of the public.
- (b) In addition a member may see any information, which they reasonably requires in order to fulfil his or her role as a member of the Council, but a member will not make public information which is confidential or exempt (as defined in Section 15) without the consent of the Council or divulge information given in confidence to anyone other than a Councillor or other party entitled to know it.

### 3.1.3 Members of the Overview and Scrutiny Committee

- (a) A member of the Overview and Scrutiny Committee may also see any document containing material relating to:
  - (i) any business transaction of the Cabinet; or
  - (ii) any decision taken by an individual member of the Cabinet; or
  - (iii) any decision taken by an officer of the Council in accordance with executive arrangements;

and which is within the terms of reference of the Scrutiny Committee of which they are a member.

- (b) The Overview and Scrutiny Committee member is not entitled to:-
  - (i) any part of a document which contains confidential or exempt information unless that information is relevant to an action or decision they are reviewing or scrutinising or intending to scrutinise and is relevant to any review contained in the Overview and Scrutiny Committee's programme of work; or
  - (ii) the advice of a political adviser.

NB No member is entitled to see any information relating to a matter in which they have a Disclosable Pecuniary Interest.

### 3.1.4 Information Available to Officers

The Monitoring Officer and S151 Officer may see any papers or records held by any part of the Council or its officers. Other officers may see any information held by the Council provided:

- (a) they need to see the information to do their job; and
- (b) that information is processed lawfully in accordance with the Data Protection Act 1998.

## 3.2 Getting Involved

### 3.2.1 Members of the Public

Members of the public can get involved in the following ways:

- (a) Voting for Councillors

If they are over 18 years and registered as a local elector with the Council.

(b) Suggesting Items of Business for Meetings

A member of the public may suggest a matter be included in an agenda by:

- (i) asking the Chair of any body to add an item to the agenda; and/or
- (ii) attending a meeting of the body and suggesting under public participation that it looks at an issue.

(c) Taking Part in Meetings

- (i) Members of the public can speak at any meeting which is open to the public. The rules on when you may speak and for how long are contained in Section 4.8.9.
- (ii) The Council operates openly and transparently and recognises that citizens may wish to utilise social media during meetings (including recording meetings). This engagement is welcomed provided that Council business is not disrupted or disturbed. Examples of disruptive behaviour can include:-
  - moving to areas outside the areas designated for the public without the consent of the Chair;
  - excessive noise in recording or setting up or re-siting equipment during the debate/discussion;
  - intrusive lighting and use of flash photography; and
  - asking for people to repeat statements for the purposes of recording.
  - Where the meeting is held partly or wholly through remote means, conduct or use of electronic methods or imagery to disrupt the meeting.
- (iii) You can also ask Questions at meetings of Full Council, Cabinet, Committees and Sub-Committees (Section 4.8.10).

(d) Exclusion from Meetings

Meetings will be open to the public wherever possible. The public must be excluded from meetings whenever it is likely that confidential information will be disclosed. The public may be excluded from meetings where it is likely that exempt information will be disclosed (see Section 4 & Section 15 for the meaning of those terms and further explanation).

(e) Making Comments/Complaints

A member of the public may comment or complain about Council services by:

- (i) contacting their local councillor;

- (ii) contacting the member of the Cabinet responsible for the service;
- (iii) contacting the officer responsible for delivering the service or their manager;
- (iv) using the Council's complaints procedure.

Comments or complaints can be made about an officer or member by:

Officer	Contacting the officer or the officer's manager
Members	If there has been a breach of the protocols a complaint may be lodged with the Monitoring Officer

(f) Engage with Overview and Scrutiny Committee

All members of the public who live or work in the area of North Hertfordshire District Council may bring to the attention of the Overview and Scrutiny Committee their views on any matter under consideration by the Committee. The Overview and Scrutiny Committee must give consideration to any views brought to its attention by a member of the public.

3.3 Getting Involved – Members

Members can get involved by:-

3.3.1 Suggesting Items of Business for the Agenda

As a member of the Council, you have the same rights as members of the public. In addition to these rights you also have the following rights:

- (a) Member bodies in Column A can request that member bodies in Column B consider or reconsider an issue.

Column A	Column B
Cabinet	Council Overview and Scrutiny Committee
Council	Cabinet Overview and Scrutiny Committee
Overview and Scrutiny Committee;	Cabinet and Full Council
Finance, Audit and Risk Committee	Cabinet or Council – subject to matters reserved to Full Council (or call-in to Overview & Scrutiny subject to call-in rules/ procedure)

Column A	Column B
Standards Committee	Council Cabinet

- (b) Any member can submit a Notice of Motion to Council in accordance with the rules set out at Section 4.8.12.

### 3.3.2 Participating in Meetings

- (a) Members of the Council are entitled to attend any formal meeting of the Council, its committees or sub-committees or the Cabinet.
- (b) Members of the Council may speak at any meeting which they are entitled to attend. When a member may speak and for how long depends upon the rules applying to that meeting (Section 4.8).

### 3.3.3 Executive Members

Members of the Cabinet have a special role to play within the Council. They are entitled to exercise any Executive Function provided:-

- (a) the Executive Function has been delegated to them by the Leader of the Council; and
- (b) the decision to exercise the Executive Function is not a Key Decision.

### 3.3.4 Comments and Complaints

- (a) Members may comment on any aspect of Council business by:
- (i) talking to officers;
  - (ii) talking to the Leader or member of the Cabinet;
  - (iii) talking to the Chair of the Overview and Scrutiny Committee.
- (b) If a member wishes to complain about:

An Officer	The procedure set out in the Member/Officer Protocol may be used (Section18)
A Member	The procedure set out in Section 17 may be followed

## 3.4 **Adverse Weather**

- 3.4.1 If prior to a meeting of any Committee adverse weather conditions are expected which will affect the ability of those attending the meeting (public, Councillors or Officers) to travel safely, it shall be the responsibility of the Chair of the Committee, in consultation with the most senior Officer attending the Committee to determine whether to postpone the meeting or

where legally necessary to request that a delegated decision / decisions are made under urgency provisions. The Proper Officer shall be responsible for advising the public, Councillors and Officers of the postponement and setting a new date to re-convene the meeting where applicable.

- 3.4.2 If during a meeting of any Committee adverse weather conditions occur which will affect the ability of those attending the meeting (public, Councillors or Officers) to travel safely, it shall be the responsibility of the Chair of the Committee, in consultation with the most senior Officer present to determine whether to cease the meeting. The Proper Officer shall be responsible for setting a new date to re-convene the meeting in order to conclude the original agenda as soon as possible.

## **APPENDIX 1 TO SECTION 3**

### **NORTH HERTFORDSHIRE DISTRICT COUNCIL PETITION SCHEME**

#### **1. Who may submit a petition?**

- 1.1 Any member of the public who is a registered local government elector or resident of North Hertfordshire or owns a business in the area ('an \*applicable person') may present, to a meeting of full Council, Cabinet or an Area Committee, a petition relating to a matter with which the Council is concerned.

#### **2. What are the requirements for submitting a petition?**

- 2.1 Subject to 2.3 below a petition must be written and submitted on paper to: The Democratic Services Manager, Council Offices, Gernon Road, Letchworth, SG6 3JF. If presentation to a specific meeting is intended, notification must be given in writing at least 5 working days before the relevant meeting of the full Council, Cabinet or Area Committee.

- 2.2 A petition must include:

- a clear, concise statement, repeated on each page, covering the subject of the petition and what action you want the Council to take;
- the name, address, post code (business if applicable) and signature of at least 120 applicable persons (as defined above\*) supporting the petition;
- the name, address and contact details of the petition organiser (who should be an applicable person).

If the above information is not evident when the petition is submitted, the Proper Officer may reject the petition outright, or seek further information before deciding whether to do so.

- 2.3 The Council will accept electronic petitions provided they comply with the requirements of paragraph 2.2 above and are created on recognised online petition websites which require a form of verification by the person signing the petition. Such petitions must be printed and submitted to The Democratic Services Manager.

#### **3. What will the Council do when it receives a petition?**

- 3.1 The Democratic Services Manager will acknowledge receipt and decide what to do with the petition. If a petition does not follow the requirements set out above, or is considered not to be relevant, the Democratic Services Manager may decide not to do anything further with it. In that case, they will write to the petition organiser to explain the reasons.

- 3.2 Action, on receipt of a petition, may include:

- Undertaking research or an investigation into the issue;
- Meeting or discussing the issue with the petition organiser;
- Consulting local Partners or stakeholders;
- considering the petition at a full Council/Cabinet/Committee/ Sub-Committee/ Area Committee meeting;
- referring to officers for consideration and report to a Full Council/Cabinet/Committee / Sub-Committee/ Area Committee meeting;

- referring the petition to another agency;
- writing to the petition organiser setting out the Council views about the request in the petition.

#### 4. Why may a petition not be acceptable?

- 4.1 If the petition applies to a matter where there is an existing right of appeal or other procedures apply (e.g. an individual planning application), we will advise the petition organiser of the procedure to be followed.
- 4.2 In general, other, existing, procedures apply to:
- Any matter relating to a planning decision, including about a development plan document or the community infrastructure levy;
  - Any matter relating to an alcohol, gambling or sex establishment licensing decision;
  - Any matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment;
  - any petition considered to be vexatious, abusive, libellous, offensive, in breach of the Council's statutory duties in respect of equality, diversity and inclusion or otherwise inappropriate.
- 4.3 Petitions disclosing matters that are personal, or confidential.
- 4.4 Petitions which are a duplicate of, or very similar to, a petition submitted in the past 12 months
- 4.5 Petitions that do not otherwise follow the requirements of the Petitions Scheme.

#### 5. If a Committee is to consider the petition am I able to speak at the meeting?

- 5.1 The petition organiser or their representative may then address the Council, Cabinet or area committee meeting, for no more than five minutes on the subject of the petition but shall not have the right to speak further.
- 5.2 **Please note** - No more than 2 petitions may be presented per meeting, and petitions on the same subject may be amalgamated.