

# Public Participation and Rights

## How you can get Involved

This section details the rights of citizens and how they can use them. North Northamptonshire Council wants to be a community led council and believes that we should work with our residents, businesses and visitors to create strong and resilient communities and ensure that North Northamptonshire is a great place to live, work and visit. We want to encourage and actively support people getting involved in meeting these aspirations.

Although we will work closely with residents, visitors and businesses through informal means to ensure that you can influence and develop what we do; to encourage involvement the following document sets out the key ways in which the public and others outside the Council can get involved.

### 1. COUNCILLORS

- 1.1. The area of North Northamptonshire Council is divided into 26 administrative areas, called wards. Each ward has three elected councillors who are elected every four years. There is more information about elections and how to register to vote on the Council's website.
- 1.2. Although elected members have responsibility for the whole of the council area, councillors also have a particular responsibility to the residents of their ward.
- 1.3. Details of who your local councillor is, and how to get in touch with them are also available on the council's website. You are able to ask your elected councillor to raise matters with the Council on your behalf.
- 1.4. A councillor may hold scheduled sessions where residents can meet them face to face to talk about issues and to get advice and this will be publicised by your councillor if this is the case.

### 2. ROLES AND FUNCTIONS OF ALL COUNCILLORS

2.1. **Key roles.** councillors will;

- a) Be the ultimate policy makers and carry out a number of strategic and corporate management functions;
- b) Bring the views of their communities into the council's decision making process;
- c) Effectively represent the interests of their ward and of individual constituents;

- d) Deal with individual casework and act as an advocate for constituents in resolving their particular concerns or grievances;
- e) Respond to constituents' enquiries and representations, fairly and impartially;
- f) Participate in the governance of the Council;
- g) Be available to represent the council on other bodies; and
- h) Maintain the highest standards of conduct and ethics

### **3. EXECUTIVE**

- 3.1. The Executive consists of the Leader and Executive Members who are responsible for particular areas and activities which may be referred to as "portfolios". You can check who the Portfolio Holder is for a particular matter at the council's website.
- 3.2. The Executive has developed a Forward Plan which you can access at the council's website. It shows the most important decisions (known as "Key Decisions") which the Executive will be taking in the future and when this is likely to be done. This is the best way to understand what decisions will be made in the coming months.

### **4. EXECUTIVE ADVISORY PANELS**

- 4.1. The Executive has created five panels which are led by an Executive member. Although they are not decision making they will help to develop policy and make recommendations to the Executive to help inform their decision making. You can attend their meetings to understand how policy is developed.

### **5. SCRUTINY COMMITTEES**

- 5.1. The Council has two Scrutiny Committees which acts as a "critical friend" to hold the Executive to account. They may also scrutinise decisions made by or on behalf of the Executive. The Scrutiny Committees also carry out investigations and reviews, and welcome suggestions from residents and businesses as to areas they could investigate. You can provide your suggestions at the council's website.

### **6. LOCAL MEETINGS**

- 6.1. Meetings such as community forums may take place in local areas which you will be able to attend.

## **7. PARISH AND TOWN COUNCILS**

7.1. Parish and Town Councils will make certain decisions within your local area. Although the council seeks to have a strong relationship with these councils, North Northamptonshire Council is not a parent body to them. The Monitoring Officer is by law responsible for matters relating to the conduct of Town and Parish councillors and together with the councils Democracy and Standards Committee seeks to uphold ethical standards of elected members. The Monitoring Officer cannot become involved in decisions made by Parish or Town Councils.

## **8. ATTENDANCE AT MEETINGS**

8.1. Meetings of bodies which are shown in our governance diagram are open to the public. The diagram is shown within this section of the constitution.

8.2. The dates and times of our meetings are published on our website and agendas are made available at least five clear working days ahead of the meeting so you can see what items will be discussed. All meetings are open for you to come and watch the debate. You can also usually watch it live on our website.

8.3. There are some occasions when we need to discuss confidential details. We can only do this when there are legal reasons such as personal information which mean we have to go into private session. When this happens we exclude the press and public from the meeting while these issues are discussed.

8.4. If an agenda item is to be considered in private, this will be clearly marked on the agenda for the meeting.

## **9. SPEAKING AT MEETINGS**

### 9.1. Council, Executive and Scrutiny Committee

9.1.1. You can speak at Council, Executive or Scrutiny meetings provided you give notice two clear working days before the meeting, eg: if the meeting is on a Thursday evening, you must notify us by Monday at 5.00pm.<sup>1</sup>

9.1.2. For Executive and Scrutiny meetings, you can make a statement which must relate to agenda items and you will normally be expected to attend the meeting to read out your statement. You will have a maximum of 3 minutes in which to make your statement and will make it at the start of the agenda item. Your statement will be taken into account during the subsequent debate on the matter.

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<sup>1</sup> Except where a deadline would normally fall on a Friday at 5.00pm, in which the deadline will be extended to Monday at 9.00am.

- 9.1.3. For Council meetings, you can ask questions (up to a maximum of three). You will need to submit the question in writing which must be received by 5.00pm, two clear working days before the meeting of the council at which it is to be asked.<sup>2</sup> Your name and address must be included and questions need to be framed so as to find out information rather than make a statement. Your questions must relate to something that the council is responsible for.
- 9.1.4. The total time allowed at Full Council is 15 minutes for public statements and 15 minutes for questions received from members of the public. Total time for questions asked by Councillors is a maximum of 30 minutes, but it is also a matter for the discretion of the Chairman who, in exercising their discretion, will have regard to the business to be transacted at the meeting and the objective of ensuring that the meeting is managed efficiently.

## 9.2. Who do I contact?

- 9.2.1. You must notify Democratic Services ([democraticservices@northnorthants.gov.uk](mailto:democraticservices@northnorthants.gov.uk)) if you intend to speak or submit a question, with details of the statement or question so that we can ensure that it is relevant to the particular meeting.
- 9.2.2. Statements and questions will not be allowed if they are defamatory, frivolous, repetitious, offensive or of a confidential nature.

## 9.3. Planning and Licensing Committees

- 9.3.1. You can find out how you can attend or speak at our Planning Committee meetings by looking at the Planning Committee Speaking Procedure within this section of the constitution at Appendix 1.
- 9.3.2. Where you are invited to address one of the Licensing Sub Committees you will be advised about the rules on attending and speaking.

## **10. REPORTS AND BACKGROUND PAPERS**

- 10.1. You have the right to access public documents and they can be found at the council's website. We publish reports that have been considered by our decision making meetings for a minimum of six years.

## **11. PETITIONS**

- 11.1. The council is pleased to accept petitions in relation to anything for which the Council is responsible. There are rules which set out what happens when we

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<sup>2</sup> Except where a deadline would normally fall on a Friday at 5.00pm, in which the deadline will be extended to Monday at 9.00am.

receive a petition and how we respond as a council. The Petitions Scheme can be found within this section of the constitution as Appendix 2.

- 11.2. The petition must relate to a matter for which the council has direct responsibility. They need to clearly show what they are about and the names and addresses of everyone who signs the petition must be set out in an identifiable way.
- 11.3. Some petitions, for example, those asking for the council to have a different form of governance, must follow special rules set out in law.
- 11.4. An e-petitions facility is available to help you create petitions and which allows you to gather signatures electronically. This can be found at the council's website.

## **12. BUDGET AND POLICY DEVELOPMENT**

- 12.1. The council is particularly keen to encourage public participation when we are preparing the budget and other plans and strategies within our policy framework so that our residents are able to directly influence decisions. When we do this we will consider options with the relevant body which may be the Executive Advisory Panels, Executive and Scrutiny Committees before a decision is finally made by all the councillors sitting as Full Council. Public participation is also encouraged in the preparation of plans and strategies which are decided by the Executive.

## **13. ACCOUNTS AND AUDITS**

- 13.1. You have the right to inspect the Council's accounts and make your views known to the External Auditor. Should you have any concerns about any matters relating to perceived unlawful activities in the council then you can whistle blow by using the council's Whistleblowing Policy which can be found at the council's website.

## **14. PUBLIC CONSULTATION**

- 14.1. We try to consult as widely and as fairly as possible. Sometimes, with matters such as planning and licensing applications, there are specific statutory consultation processes that the Council must follow. Other than this, we will try to consult on important decisions as widely as possible and give feedback about the outcome of the consultations.
- 14.2. We follow the "Gunning Principles" when we consult. This means that we make sure:
- 14.3. consultation is at a stage where the council has not made up its mind on any proposals;
- 14.4. we give enough information and reasons for any proposals to enable you to understand their impact and respond;

14.5. we give you enough time to consider our proposals and respond to them; and

14.6. we will consider all responses to the consultation when finalising the decision.

## **15. SOCIAL MEDIA**

15.1. You can also get updates from North Northamptonshire Council on social media and by following the council's social media on:-

- Facebook
- Twitter
- LinkedIn
- Instagram

15.2. Many local councillors have their own private social media accounts too.

## **16. COMPLAINTS**

16.1. You have the right to complain to the council under its complaints scheme. If you have exhausted this process then you can also complain to the relevant Ombudsman. Details can be found on the council's website.

16.2. If you believe that a Councillor has not complied with the Member Code of Conduct then you can make a complaint to the Council's Monitoring Officer at [monitoringofficer@northnorthants.gov.uk](mailto:monitoringofficer@northnorthants.gov.uk)

## **17. REQUESTS FOR INFORMATION**

17.1. You are able to exercise your rights under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 to obtain information held by the Council.

## **18. PUBLICATION SCHEME**

18.1. The Council has a Publication Scheme which sets out our commitment to make certain classes of information routinely available, such as policies and procedures, minutes of meetings, annual reports and financial information. You can access the Scheme on the council's website.

## **Appendix 2**

# **Procedures for speaking at planning committees**

## **1. If you wish to speak at a planning committee**

- 1.1. Please register with Democratic & Legal Services before 12 noon on the working day before the Committee is due to meet by emailing [democraticservices@northnorthants.gov.uk](mailto:democraticservices@northnorthants.gov.uk)
- 1.2. The time, date and details of the venue can be found on the agenda
- 1.3. Speakers must be available from the advertised meeting start time

## **2. At the meeting**

- 2.1. The Committee Chair will run through procedures and check whether registered speakers are present. Agenda items may not necessarily be discussed in the order they appear on the agenda.
- 2.2. For each item, the Committee Chair will introduce the item and ask the Planning Officer to present any updates. The Chair will then call any registered speakers to present their comments to the Committee.
- 2.3. The order of speakers will be:
  - a) One third party speaker for and one third party speaker against the proposal
  - b) One Parish/Town Council representative
  - c) One Ward Councillor
  - d) Applicant or their agent/representative
  - e) Planning Officer who presents the report
- 2.4. Third party speakers for or against the proposal will be registered on a first come first served basis.
- 2.5. Where there is significant demand for public speaking on a proposal more than one speaker for and against the proposal may be permitted, but this will only be at the discretion of the Committee Chair.

- 2.6. Where more than one ward councillor wishes to speak they should in the first instance seek to collaborate and agree between them who will represent the ward and the content of the presentation. If ward councillors cannot agree this, the two ward councillors will be permitted to speak and will share the time allocated for ward councillors on a 50/50 basis.
- 2.7. Speakers will be limited to speak for 3 minutes after which you will be asked to stop.
- 2.8. Ward councillors will be limited to speak for 5 minutes after which you will be asked to stop.
- 2.9. Once speakers have completed their presentation to the committee the Committee Chair has discretion to allow committee members to question the speaker on points of clarification and to inform the subsequent committee debate.
- 2.10. To ensure the smooth running of the meeting, once you have spoken and answered any questions from the committee members, you will not be able to add anything.
- 2.11. The Committee will then discuss and debate the application.

### **3. Tips on speaking**

#### 3.1. What should you speak about?

- a) Explain the proposal or the reasoning behind it, or
- b) Explain the effect of the development on you
- c) Make your comments within the framework of planning legislation, for example:

Planning Policy (Development Plan)

Government guidance

Design, appearance, layout

Residential amenity

Highway safety and traffic

Character of the area, historic buildings

Noise, disturbance, smell

What should you not do?

- d) Talk about non-planning issues (e.g. private property rights/right to a view, effect on property value, developer's motives etc)

- e) Make personal or slanderous statements which could result in legal action against you
- f) Refer to sensitive personal information about any other person (for advice on what this means please contact the Local Authority)
- g) To make the most effective use of your time try not to repeat Committee report information

## **Appendix 2**

# **Petition Scheme**

This document is the Council's Petition Scheme. The council welcomes petitions from people who sign the petition must live, work or study within North Northamptonshire. This document sets out how people can submit a petition to the council.

## **Introduction**

All petitions sent or presented to North Northamptonshire Council will receive an acknowledgement within 10 working days of receipt. This will set out what the council plan to do with the petition and when you can expect to hear from us again.

The council will treat something as a petition if it is identified as being a petition, or if it seems to the council that it is intended to be a petition and contains details and signatures of five or more people who work or study within North Northamptonshire. However, where a matter may impact significantly beyond the council's boundary (e.g. West Northamptonshire) the council may exercise its discretion to take the views of these stakeholders into account.

The council categorises petitions as follows – further details on these categories are explained in more detail later in the scheme:

<b>Category</b>	<b>Signatory Threshold</b>	<b>Description</b>
Petition which triggers a debate	1,500 +	Any petition with 1,500 or more signatures will trigger a debate at Full Council
Petition which calls an officer to account	750 – 1,499	Any petition with 750 – 1,499 signatures will summon a senior officer of the Council to give evidence at a public Council meeting
Standard Petition	5 – 749	Any petition with 5 – 749 signatures will be referred to a senior officer of the Council to provide a response

## **How can I submit a petition?**

Paper petitions must be sent to:

North Northamptonshire Council, Sheerness House, Kettering, NN16 8TL

## **e-Petitions**

Petitions can be created, signed and submitted online via the Council's website.

In addition to submitting a hard copy petition or an e-petition you may also verbally present your petition at a relevant meeting of the council or its committees. Meetings dates and times are published on our website. Where a petition is presented the normal process is that the text of the petition is read out to the meeting following which, without any debate on the issues, the committee requests that the relevant officer prepare a formal written response to the petition.

If you would like to present your petition to a council meeting please contact [democraticservices@northnorthants.gov.uk](mailto:democraticservices@northnorthants.gov.uk) at least 10 working days before the date of the meeting and they will talk you through the process.

## **How will the Council process my petition?**

Once a petition is received it will be checked to see if it meets the criteria defined in the Scheme and the Appendices. If there are any concerns about the validity of a petition, for example where key information is missing, the council's Monitoring Officer will be consulted and will determine if the petition is valid. The council will inform you if it considers the petition to be invalid and the reason why.

Following the above, and within 10 working days of receiving the petition, an acknowledgement will be sent to the lead petitioner. Once the petition has been verified and acknowledged no further signatures can be added to the petition.

To ensure that people know what we are doing in response to the petitions we receive, details of petitions submitted to us will be published on the North Northamptonshire Council's website, except in cases where this would be inappropriate. The name of the petition organiser will be placed on the website but not their contact details.

The key Council roles in addressing petitions are:

### Democratic Services

Democratic Services will provide advice to lead petitioners regarding the process to be followed and advice on Council meeting dates etc.

### Monitoring Officer

The Council's Monitoring Officer is responsible for checking the validity of any petition received and acknowledging receipt.

### Senior Officer

Any petition received will be allocated to a senior council officer who will co-ordinate a response to the lead petitioner. Where a petition relates to a particular ward or area, the senior officer will keep local ward members up-to-date on the petitions progress and any response submitted.

### Scrutiny Committees

Information on all petitions is shared with the council's relevant Scrutiny Committee which will focus on whether petitions are being responded to in a timely and sufficiently clear and robust manner. Scrutiny may also use petitions to identify where there may be issues in terms of council policy that they wish to review in more detail as part of their work programme.

### **What are the guidelines for submitting a petition?**

Petitions submitted to the council must include:

- i) A clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the council to take
- ii) Details of each person supporting the petition including –

Their name

Their signature and;

Their qualifying address (the qualifying address will be an address in North Northamptonshire where they live, work or study)

Petitions must be accompanied by full contact details, including an address, for the lead petitioner (petition organiser). This is the person the council will contact to explain how it will respond to the petition. The lead petitioner should make clear that they live, work or study in the North Northamptonshire area.

The subject matter of the petition must be regarding matters that fall within the responsibility or remit of the council.

Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted. Please read the council's Terms and Conditions (Appendix A) before submitting a petition.

In the period immediately before an election or referendum the council may need to deal with your petition differently – if this is the case the council will explain the reasons and discuss the revised timescale which will apply.

If a petition does not follow the guidelines set out above, the council may decide not to do anything with it. In that case, it will write to the lead petitioner to explain the reasons.

Before submitting a petition, you should first check with your local member or with North Northamptonshire Council to see if the action is already being taken in connection to your concerns and to determine if the council is the most appropriate organisation to receive your petition.

### **How will the Council respond to petitions?**

If the council can do what your petition asks for, the acknowledgement may confirm that the council have taken the action requested and the petition will be closed. If the petition has enough signatures to trigger a Full Council debate, or a senior council officer giving evidence, then the acknowledgement will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, the council will tell you the steps it plans to take.

The council's response to a petition will depend on what a petition asks for and how many people have signed it. These responses can include:

- Taking the action that is requested in the petition;
- Undertaking further research into the matter;
- Referring the petition for consideration by one of the council's committees; or
- Consideration in some form of public Council meeting.

If your petition is about something which the council has no direct control or responsibility we will seek to direct you to the appropriate body.

### **Standard Petition**

If a petition contains 5 – 749 signatures and is validated by the Monitoring Officer it will be directed to a senior council officer to consider and provide a response. If the petition relates to a specific ward or area the local members will be kept updated.

### **Officer Evidence**

If a petition contains between 750 – 1,499 signatures and is validated by the Monitoring Officer, the lead petitioner may request that the relevant council officer be called to give evidence at a public meeting of the relevant Scrutiny Committee. The Monitoring Officer will liaise with colleagues and the Chair of the relevant Scrutiny Committee to ensure that the appropriate officer attends.

The relevant Scrutiny Committee will normally endeavour to consider the petition at its next meeting. The lead petitioner (or their nominated substitute) will be given 5 minutes to present the petition to the Committee. The nominated council officer will be given 5 minutes to respond. The members on the Committee will then discuss the petition. The Committee will then decide how to respond to the petition at the meeting and may:

- Request the Executive to undertake the action the petition requests, or not, for reasons put forward in the debate; or
- Recommend that further investigation be undertaken into the matter by the Executive

The Scrutiny Committee considering the petition has no power to make decisions on actions to be undertaken by the Full Council or the Executive.

### **Council Debates**

If a petition contains 1,500 or more signatures the lead petitioner may ask that it be debated by the Full Council (unless the petition is requesting that a senior council officer give evidence at a public council meeting). This means that the issue raised in the petition will be discussed at a meeting which all members can attend. In such cases petitions must be received by the council at least ten working days before the date of the Full Council meeting.

The council will endeavour to consider the petition at its next meeting, although where this is not possible, consideration will then take place at the following meeting. The lead petitioner will be given five minutes to present the petition at the meeting and the petition will then be discussed by members for a maximum of a further fifteen minutes.

The council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant Committee. Where the issue is one that the Executive is required to make the final decision, the Full Council may note the petition or make recommendations to them.

Full Council cannot make decisions where the subject matter of a petition falls to the Executive to decide.

### **e-Petitions**

#### **What is an e-petition?**

An e-petition is a petition which is submitted electronically to the council for consideration in relation to a particular issue or concern. It differs from a traditional

paper-based petition in that it is accessible to anyone who wishes to sign it through the council's website. E-petitions must follow the same guidelines as paper petitions and will be dealt with in the same manner.

### **Who can submit an e-petition?**

As with paper-based petitions, to submit an e-petition to the council, you must live, work or study within North Northamptonshire. Therefore, if you are not a resident of North Northamptonshire, please include a "qualifying address" which will be the address in North Northamptonshire where you work or study.

The council will need full contact details of the person who is leading on the petition. Therefore, you will need to register on the council's website. It is a straightforward process which requires you to provide the council with a few details for when we need to contact you about the petition.

There is a limit of 28 days for the petition to be "live" on the council's website for signatures. When the "live" period is over, the way in which the council responds, as with paper petitions, will depend on how many signatures are submitted.

### **Who can sign an e-petition?**

If you are signing an e-petition you will be required to provide us with basic personal information (an email address and an address including a postcode). Each signatory must give a separate email address. Your name (but no other details) will be published on the e-petitions section of the website. The council will only use the information you provide to validate your signature and that you live, work or study in North Northamptonshire.

You can only sign an e-petition once. The list of signatories will be checked by officers and any duplicate signatures or vexatious, abusive or otherwise inappropriate content will be removed.

Further details in relation to e-Petitions is provided on the Council's website.

### **What can I do if I feel my petition has not been dealt with properly?**

If you feel that the Council have not dealt with your petition properly you may write to the Council's Monitoring Officer at the address below:

[monitoringofficer@northnorthants.gov.uk](mailto:monitoringofficer@northnorthants.gov.uk)

### **How else can I have my say?**

You can contact your local ward Member(s). (add link)

If you live in a place with a Parish or Town Council you could request that they raise the issue with the council on your behalf.

You could contact a local community association or tenants and residents' group and request that they raise the issue with the council on your behalf.

**End of Public Participation and Rights**

**February 2021**