

## **ARTICLE 3 – THE PUBLIC AND THE COUNCIL**

### **3.1 The Rights of Members of the Public**

Members of the public have the following rights:

#### **(a) Information**

A member of the public has the right to:

- (i) attend meetings of the Council and its Committees except where confidential or exempt information is likely to be disclosed, and that part of the meeting is therefore held in private;
- (ii) see reports and background papers, and any records of decisions made by the Council;
- (iii) obtain a copy of the Constitution;
- (iv) inspect the Council's accounts and make their views known to the external auditor; and
- (v) request disclosure of non-confidential or non-exempt information held by the Council (Freedom of Information Act 2000).

(These rights are explained in more detail in the Access to Information Procedure Rules in Part 4 of this Constitution.)

#### **(b) Participation**

- (i) A member of the public has the right to submit questions at Council meetings, to present petitions, or to make a deputation in accordance with the Scheme for Public Participation and the Tewkesbury Borough Council Petitions Scheme which are set out in Part 4 of this Constitution.
- (ii) A member of the public has the right to submit questions at Executive Committee meetings or to make a deputation in accordance with the Scheme for Public Participation which is set out in Part 4 of this Constitution.
- (iii) A member of the public may apply to register to speak at Planning Committee on any application contained within the Planning Schedule of applications in accordance with the Scheme for Public Speaking at Planning Committee Meetings.
- (iv) Members of the public also have certain rights in relation to the Council's Petitions Scheme in respect of asking the Overview and Scrutiny Committee to review the way the Council has considered a petition and may be invited to speak at meetings of the Overview and Scrutiny Committee to assist in investigations or in matters of local interest.

**(c) Complaints**

A member of the public has the right to complain to:

- (i) the Council itself under its Complaints Procedure;
- (ii) the Local Government and Social Care Ombudsman after first using the Council's own Complaints Procedure;
- (iii) the Council's Monitoring Officer about a breach of Tewkesbury Borough Council's Code of Conduct. (See Part 5 of this Constitution.)

**(d) Voting and Petitions**

A member of the public who is on the electoral roll for the Borough has the right to vote and sign a petition to request a referendum for an Elected Mayor.

**(e) Recording of Meetings**

Under the Openness of Local Government Bodies Regulations 2014, the public have the right to attend and record meetings.

**3.2 Responsibilities**

A member of the public must not be violent, abusive or threatening to Councillors or Officers and must not wilfully harm things in the ownership of the Council, Councillors or Officers. Any member of the public who does not honour this responsibility may be excluded from any meetings or any property owned by the Council.

**3.3 Equalities and Inclusion**

In all its dealings with members of the public the Council will endeavour to provide the highest level of services and aim to distribute those services fairly across the community, except where they need to (or by Law must) be targeted to meet special needs, regardless of age, sex, disability, race, marital status, pregnancy and maternity, sexual orientation, gender assignment, religion or belief and will thoroughly investigate any complaint of non-compliance with this policy.