

## **Article 3 – The Public and the Council**

### **3.1 The Public's rights**

The public have the following rights. Their rights to information and to participate are explained in more detail in the Access to Information Rules (set out in Part 4 of this Constitution):

#### **(a) Voting and Petitions**

Residents on the electoral roll for Spelthorne have the right to:

- (i) vote at local elections.
- (ii) sign a petition to request a referendum for an elected mayor form of Constitution.
- (iii) submit petitions in accordance with the Council's Petition Scheme set out on the Council's website.

#### **(b) Information**

The public have the right to:

- (i) obtain a copy of this Constitution;
- (ii) attend meetings of the Council (and its committees and sub-committees) and the Cabinet (and where key decisions are being taken by an individual Cabinet member) except where confidential or exempt information is likely to be disclosed, and the meeting is therefore held in private;
- (iii) find out from the Forward Plan what key decisions will be taken by the Leader, Cabinet or individual Cabinet councillor and when;
- (iv) see reports and background papers, and any records of decisions in accordance with the Council's Access to Information Rules; and
- (v) inspect the Council's Accounts and make their views known to the Council's external auditor.

#### **(c) Participation**

The public have the right to

- (i) contact their local councillor about any matters of concern to them;
- (ii) ask a question at a meeting of the Council;
- (iii) report on any meeting, which is not being held in private, by means of any medium available to them and share the results of such reporting by any communication method at their disposal without causing undue interference to the proceedings of the meeting;
- (iv) address the Council before it makes any decision on a recommendation to it from the Leader/Cabinet or a Committee

- (v) sign a petition in accordance with the Council's Petition Scheme set out on the Council's website;
- (vi) speak at meetings of the Planning Committee in accordance with the Council's protocol on public speaking at Planning Committees contained in Part 5 of the Constitution;
- (vii) speak at meetings of Licensing Sub-Committees in accordance with the rules and procedures adopted by the Council under the provisions of the Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations 2005.
- (viii) subject to invitation by the Committee, a Panel or the Chairman, to contribute to investigations by the Overview and Scrutiny Committee and its Panels.

#### **(d) Complaints**

The public have the right to complain to:

- (i) the Council itself under its complaints procedure;
- (ii) the Ombudsman after using the Council's own complaints scheme; and
- (iii) the Members' Code of Conduct Committee about a breach of the Members' Code of Conduct.

#### **3.2 Responsibilities of the Public**

The public must not be violent, abusive or threatening to councillors or staff and must not wilfully harm things owned by the Council.