

ARTICLE 3 - CITIZENS AND THE COUNCIL

[Statutory References: Section 100 Local Government Act 1972, Sections 9MC and 105(2) Local Government Act 2000 (as amended), Local Authorities (Referendums) (Petitions and Directions) (England) Regulations 2011], Localism Act 2011

1.1 The Council will be outward looking and will seek to engage with the public whenever possible. Set out below is what the Council believes Citizens in its Borough should expect from the Council. In granting rights to the Citizens of its Borough the Council has also set out how it expects to be treated in return.

2. CITIZENS' RIGHTS

2.1 Citizens in the Borough of the Council have the following rights under the Council's Constitution.

2.2 The rights of Citizens to information and to participate are explained in more detail in the Access to Information Rules in Part 4 of this Constitution:

- a) Voting and Petitions - Citizens on the electoral roll for the area have the right to vote and sign a petition to request a referendum for a constitutional change in the Council's Governance. When the Council receives such a petition signed by at least 5% of the local electorate it will hold a referendum. The Council will publish in February each year the number that is equal to 5% of its local electorate which will be the figure used for the purpose of verifying any petition submitted in the year beginning with 1st April immediately after the 5% figure has been published. The Council will provide advice to any Citizen wishing to submit a petition as to the requirements involved.
- b) Information - Citizens have the right to:
 - Attend meetings of the Council and its Committees except where confidential or exempt information as defined in the Access to Information Procedure Rules in Part 4 of this Constitution is likely to be disclosed and the meeting is therefore held in private;
 - Attend meetings of the Cabinet when key decisions are being made except where confidential or exempt information (as defined in the Access to Information Rules) is being considered;
 - Find out from the Forward Plan what Key Decisions (see Article 13) will be taken by the Cabinet and when;
 - See reports and background papers and any records of decisions made by the Council and the Cabinet apart from those that deal with confidential or exempt information;
 - Exercise the statutory right to inspect registers of Members' interests, allowances paid;
 - Inspect the Council's accounts and make their views known to the external auditor; and
 - Make a request for information held by the Council under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004.

- c) Participation - Citizens have the right to participate in the Council's question time, submit petitions and contribute to the work of the Overview and Scrutiny Committee.
- d) Complaints - Citizens have the right to complain to:
 - the Council itself under its complaints scheme;
 - an Ombudsman or the Information Commissioner;
 - the Monitoring Officer about a breach of the Councillor's Code of Conduct.

3. CITIZENS' RESPONSIBILITIES

- 3.1 In granting the Citizens of the Borough the rights outlined above, the Council expects Citizens to exercise these rights; by voting in local elections if otherwise eligible and to take other opportunities open to them to participate in the democratic process locally for example, attending Council meetings and contributing to scrutiny investigations.
- 3.2 The Council will be respectful and courteous in its dealings with its Citizens and expects Citizens to treat Councillors and Officers respectfully and courteously in return. This includes making requests for information or service as clearly as possible and permitting a reasonable time for a response to such requests.
- 3.3 Members of the public who interrupt the proceedings at any meeting or cause a disturbance at meetings will be warned to refrain and the Mayor/Chairman of the meeting will take such action as he/she sees fit in accordance with the Council's Procedure Rules, set out in Part 4 of this Constitution.