

## **Public Participation at County Council, Cabinet and Committees**

[Members of the public will be treated with respect and courtesy when attending meetings of the County Council. They will be listened to and everyone who has registered will be able to be present / speak without interruption or intimidation.

It is therefore expected that members of the public listen to the proceedings and respect the views and experiences of other people contributing. For further information please see the Council's [public behaviour protocol](#).]

### **Questions: Council and Cabinet**

1. At any meeting of the County Council or the Cabinet a member of the public who is a resident within the administrative area of the county of Devon may ask the Leader a formal, written, question upon a matter which, in every case, relates to the functions of the Council. In the case of the County Council and the Cabinet the Leader will decide who shall reply to any question of which notice has been given.
2. A person who wishes to attend a meeting for the purpose of paragraph (1) shall give notice in writing to the Chief Executive by 12 noon on the fourth working day before the relevant meeting and include in that notice the text of the question to which they want a reply.
3. Notwithstanding the above, where a question relates to a matter which is included on the agenda for a meeting at which the question is to be put but that agenda or any Officers Report has not been made available before the normal deadline for submission of questions at 2 above then provided written notice of a question is received within 24 hours of that Agenda or Report having been so published then the question shall be allowed.
4. No person shall ask more than one question at any meeting of the Council or the Cabinet. If either more than one question is received or a single question contains a number of component questions only the first question shall be accepted.
5. All questions received shall be printed in order of receipt and shall be circulated at the meeting together with the answers to those questions. No discussion will take place upon a reply except that a person who has submitted a question is entitled to ask one supplementary question arising from the answer given and to receive a further answer. This must be a question, not a statement.
6. At meetings of the Council answers to questions will be provided prior to consideration of all Framework, Key and other decisions. At meetings of the Cabinet this will take place after consideration of such matters. The time allowed for such answers (and representations - see paragraph 11

below) shall not exceed 30 minutes in total. The order of business may however be changed by the Chair at their discretion.

7. If a question is not reached within the overall time limit the reply which the Leader or Chair would otherwise have given shall be published with the minutes of that meeting and with the archived recording of the webcast of that meeting.
8. If the questioner is unable to attend the meeting in person the Chief Executive shall send the questioner the reply which the Leader or Chair would otherwise have given.
9. If a question is unsuitable in form, frivolous or derogatory to the dignity of the Council, the Cabinet or the Committee or relates to a matter which should be considered in the absence of the press and public the Leader/Chair shall have the right to rule a question out of order.
10. Questions may be submitted, in writing, or by fax or e-mail.

**Representations: Council, Development Management, Highways & Traffic Orders, Public Rights of Way and Scrutiny Committees**

11. In addition to the provisions set out at paragraphs 1-8 above, any such member of the public may also, at any ordinary meeting of the County Council, make oral representations on any matter relating to the functions of the Council; such 'representations' being limited to 3 minutes per person, within the overall time limit for Questions and Oral Representations of 30 minutes laid down at paragraph 6 above. Such persons are required to submit in advance a brief outline of the point(s) or issues) they may wish to make, by 12 noon on the fourth working day before the relevant meeting, with the relevant Chair responding orally at the meeting, as necessary. It is important to note that at meetings of the Council, it must either be an oral representation or a question, not both.
12. At any meeting of the Development Management Committee, an applicant, objector or supporter may make a presentation of up to three minutes relating to:
  1. a planning application to be determined by that Committee;
  2. any consultation on a proposal by a Government Department; or
  3. a Review of an Old Minerals Permission application.
13. Any applicant, objector or supporter who wishes to make a presentation to the Development Management Committee must give notice of that intention, in writing, to the Chief Executive by 12 noon on the fourth

working day before the relevant meeting of the Committee, indicating the application or proposal upon which they wish to make a presentation.

14. Where, in the case of a planning application or a ROMP application, a number of objectors or supporters wish to make presentations, a representative shall be nominated by them to present the views of all the objectors or supporters. In such cases the identity of the spokesperson must also be made known to the Chief Executive prior to the start of the meeting. If necessary the Chief Executive will draw the attention of objectors or supporters to the need to nominate a single spokesperson.
15. Presentations will be strictly limited to three minutes and will be made only after a short introduction of the report by the relevant Chief Officer or Head of Service. Applicants, objectors or supporters may not participate in the debate or ask questions of officers or Members.
16. If, for any reason, an application is to be considered by the Committee on more than one occasion then any person who wishes to make a presentation may do so only once and this procedure shall not apply where the Committee is considering a report of a site visit upon an application previously considered by the Committee.
17. Where presentations are to be made by both an applicant and an objector on a particular application, they will be taken in that order, but if one decides not to participate the other will not be precluded from making a presentation.
18. At any meeting of a Highways & Traffic Orders Committee an objector or supporter may make a presentation of up to three minutes relating to any traffic regulation proposal to be considered by that Committee, at the meeting at which it is to be considered.
19. Any objector or supporter who wishes to make a presentation to a Highways & Traffic Orders Committee must give notice of that intention, in writing, to the Chief Executive by 12 noon on the fourth working day before the relevant meeting of the Committee, indicating the proposal upon which they wish to make a presentation.
20. Where a number of objectors or supporters wish to make presentations, a representative shall be nominated by them to present the views of all the objectors or supporters. In such cases the identity of the spokesperson must also be made known to the Chief Executive prior to the start of the meeting. If necessary the Chief Executive will draw the attention of objectors or supporters to the need to nominate a single spokesperson.
21. Presentations will be strictly limited to three minutes and will be made only after a short introduction of the report by the relevant Chief Officer or Head of Service. Objectors or supporters may not participate in the debate or ask questions of officers or Members.

22. Where presentations are to be made by both an objector and a supporter on a particular proposal, they will be taken in that order, but if one decides not to participate the other will not be precluded from making a presentation.
23. At any meeting of the Public Rights of Way Committee an objector or supporter may make a presentation of up to three minutes relating to any Order relating to a proposal for a public path order to be considered by that Committee, at the meeting at which it is to be considered.
24. Any objector or supporter who wishes to make a presentation to the Public Rights of Way Committee must give notice of that intention, in writing, to the Chief Executive by 12 noon on the fourth working day before the relevant meeting of the Committee, indicating the proposal upon which they wish to make a presentation.
25. Where a number of objectors or supporters wish to make presentations, a representative shall be nominated by them to present the views of all the objectors or supporters. In such cases the identity of the spokesperson must also be made known to the Chief Executive prior to the start of the meeting. If necessary the Chief Executive will draw the attention of objectors or supporters to the need to nominate a single spokesperson.
26. Presentations will be strictly limited to three minutes and will be made only after a short introduction of the report by the relevant Officer. Objectors or supporters may not participate in the debate or ask questions of officers or Members.
27. Where presentations are to be made by both an objector and a supporter on a particular proposal, they will be taken in that order, but if one decides not to participate the other will not be precluded from making a presentation.
28. At any meeting of a Scrutiny Committee, any resident (of the administrative county) of Devon may speak on any substantive matter listed on the Agenda of any Scrutiny Committee (i.e. other than matters for information or administrative business. Any person wishing so to do must register their desire to speak, in writing (by letter, fax or email), by 12 noon on the fourth working day before the relevant Scrutiny Committee - giving a brief outline of the point(s) or issue(s) they wish to raise. If more than one person wishes to make the same point or make similar representations, those persons may be asked to agree a spokesperson to make a single presentation. Any statements/representation shall be limited to 3 minutes per person, within an overall time limit of 15 minutes. Any and all such statements/representations will be taken together at the beginning of the relevant Scrutiny Committee, immediately after consideration of any urgent business. If there are more than 5 persons wishing to speak the

Chair may reduce the amount of time for each person. For best effect, any statement/representations should be short and concise and must not be defamatory or offensive. No writing or photographic material may be circulated around a meeting during any presentation. Direct, specific, questions to Members or Officers will not be accepted but, in making any statement/representation, a person may of course pose a general inquiry or suggestion that they would wish the Committee to have regard to in the course of its subsequent deliberations. There will be no debate on or response given to any statements/representations made at that time: the Committee will have regard to all issues so raised during its consideration of the substantive matter later in that meeting.

29. The representation and the name of the person making the representation will be recorded in the minutes.

## **General**

30. As set out at Article 3 of this Constitution, and at any of those meetings, the Leader or Chair may also receive petitions from members of the public before responding to any questions received which will be dealt with in accordance with the Council's Petition Scheme (Part 4 of the Constitution).

31. Detailed advice for the public on the operation of these schemes is set out on the Council's website at:  
<https://new.devon.gov.uk/democracy/guide/public-participation-at-committee-meetings/part-1-can-i-attend-a-meeting/>