

Part 1: Chapter 3

Members of the public and the County Council

3.1 Members of the public rights

Access to information and participation are explained in more detail in the Access to Information Procedure Rules in Part 3, Chapter 4 of this Constitution;

3.1.1 Voting and petitions

Members of the public on the electoral roll for Hampshire County Council's area have the right to vote and sign a petition to request a referendum for a change of governance arrangements. There can be no more than one referendum in any one period of ten years. The Local Authorities' (Referendums) (Petitions) (England) Regulations 2011 set out the requirements for a petition to hold a referendum. In summary, the Regulations state that where the County Council receives a petition for a referendum for a change of governance arrangements, signed by at least five per cent of the local electorate, the County Council must hold a referendum.

3.1.2 Information

Members of the public have the right to:

- i) attend meetings of the County Council and its Committees, except during items where confidential or exempt information is likely to be disclosed (in which case the meeting is held in private);
- ii) attend meetings of the Executive (Cabinet) and individual Executive Member Decision Days, except during items where confidential or exempt information is likely to be disclosed (in which case the meeting is held in private);
- iii) find out from notices published by the County Council what Key Decisions the Executive will take and when.
- iv) see Reports and Background Papers, and any records of decisions made by the County Council and the Executive except where the information is confidential or exempt.

- v) inspect the County Council's accounts and make their views known to the District Auditor.

3.1.3 Participation and consultation

Members of the public have the right to participate in County Council, Cabinet, Committee, Sub-Committee Standing Panel Meetings and individual Executive Member Decision Days, by bringing a deputation to any public meeting or Decision Day on any business properly within its terms of reference. Details of how this can be exercised are set out in County Council Standing Order 12 (see Part 3, Chapter 1).

Members of the public organisations and interest groups may also be invited to contribute to investigations by Select (Overview and Scrutiny) Committees.

Members of the public can expect to be consulted on significant issues, on either a local or countywide basis, depending on the nature of the matter and its relative effect on the community. The County Council has well-developed arrangements for consultation on the budget and other key areas of the County Council's activities.

3.1.4 Complaints

Members of the public have the right to complain to:

- i) the County Council, under its complaints scheme;

<http://www3.hants.gov.uk/haveyoursay/complaints/complaints-procedures.htm>

- ii) the Local Government Ombudsman if, after using the County Council's Corporate Complaints procedure, the citizen still remains dissatisfied at the County Council's response;

- iii) the County Council's Conduct Advisory Panel, concerning any alleged breach of the Members Code of Conduct.

3.2 Members of the public responsibilities

Members of the public are expected to conduct themselves in a reasonable manner, in line with normally accepted standards in society, when they deal with Councillors or Officers and, in particular, when they attend any meetings of the County Council, its Committees, the Executive or Individual Executive Member Decision Days. The principles behind this expectation are:

- due respect for the rights and opinions of others;
- non-confrontational behaviour;

- respect at all times for the decisions on conduct and procedure in the meeting, from the person responsible Chairing that meeting or Decision Day;
- willingness to listen as well as an expectation of being listened to, in a way which is both constructive and supportive.