

Part 5 – Codes and Protocols

Public Guide to Participation (updated for Covid-19)

5.8.1 A healthy democracy depends upon active citizenship. Citizens are encouraged to make conscientious use of their roles as both voters and members of a wider community, and this guide gives an overview of the ways in which you can do that.

5.8.2 Attending meetings

5.8.3 We encourage the public to attend all meetings of the Council and its committees, that are currently taken place on a remote basis and anyone attending is able to record or film what takes place at them provided that doesn't disrupt the meeting. Details of what meetings are coming up are published on the Council's website,

5.8.4 The agenda and papers are normally published on our website at least five working days in advance of the meeting. Draft minutes of the meeting are also published on the website as soon as possible after the meeting.

5.8.5 [not used].

5.8.6 Why are some meetings private?

5.8.7 During COVID19 , all meetings of the Council and its committees are held with remote access for the public. However on rare occasions an agenda item includes information which may be personal to an individual, which would compromise the commercial position of the council or another individual or organisation or which there are other particular legal or employment reasons for considering asking the public to leave the meeting for discussion of that item. When this is the case we will explain the reasons why and, as far as is legally possible, will afterwards provide a public summary of the decision taken.

5.8.8 Asking questions at meetings of the Council

5.8.9 Which meetings can the public ask questions at?

5.8.10 Questions can be asked at public meetings of:

- The Full Council
- Audit and governance committee
- Cabinet
- Employment panel
- Health and wellbeing board
- Overview and Scrutiny committees

5.8.11 Who can ask questions?

5.8.12 Questions can be put by anyone living or working in Bury.

5.8.13 What notice is required for questions?

5.8.14 A question must be delivered by email (democraticservices@Bury.gov.uk) by no later than 5pm one working day before the date of the meeting. Each question must provide the name and address of the questioner.

5.8.15 How many questions can be asked?

5.8.16 A member of the public may ask one question at any public meeting of the Council as listed above.

5.8.17 What is the scope for questions?

5.8.18 Questions should relate to the function of the committee where they are being asked. A question at the full Council can be addressed to any chair or Cabinet member and must relate either to something that the Council is responsible for or that affects the borough.

5.8.19 We will not consider any question that is defamatory, offensive or frivolous.

5.8.20 What happens at the meeting?

5.8.21 Time is made available early on the agenda for any accepted questions to be dealt with. Copies of any questions and answers will be published on the Council's website before the start of the meeting, and will be made available to members of the public who attend the meeting.

5.8.22 The chair will invite the questioner to put a supplementary question to the councillor named in the notice.

5.8.23 A questioner who has put a question in person can also ask one supplementary question, without notice, in response to the reply to their question. A supplementary question must arise directly out of the original question or the reply given. The chair can reject a supplementary question on any of the grounds detailed in the section above. As part of the 'virtual meeting' format, members and members of the public are able to submit supplementary questions in writing, via email or asking a question as a virtual participant.

5.8.24 What form will the reply take?

5.8.25 The answer may be either a direct oral answer, a referral to an existing publication, or if the question requests service information a referral to an officer to respond in writing. If the reply cannot conveniently be given orally, if the questioner or the member to whom the question is put is absent, or the time allowed for public questions has expired, a written answer will normally be provided within ten working days.

5.8.26 There cannot be any discussion on questions but any matters raised by a question can be referred to the relevant Cabinet member or the appropriate committee to consider.

5.8.27 Petitions

5.8.28 We welcome petitions from those who live or work in Bury and recognise that petitions are one way in which people can let us know their concerns or the strength of public feeling.

5.8.29 What is the scope for petitions?

5.8.30 Petitions must relate to a matter over which the Council has powers or duties and may be rejected if they: contain language or statements which are defamatory, frivolous, vexatious, discriminatory, false, or otherwise offensive; disclose confidential or exempt information; name individuals, or provides information where they may be easily identified, e.g. individual officers of public bodies; make criminal accusations; contain advertising statements; refer to an issue which is currently the subject of a formal Council complaint, Local Government Ombudsman complaint or any legal proceedings; or relate to a matter where there are other statutory processes in place for dealing with these matters (such as planning or licensing application matters or statutory petitions for a referendum).

5.8.31 How can a petition be submitted?

5.8.32 Petitions need to be submitted online and an online facility for running a petition is provided on the Council's website. There is no standard format for a petition but it must include:

- a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish us to take;
- the name and address and signature of any person supporting the petition, which must be not fewer than 15 people; and
- contact details, including an address, for the petition organiser who will be the person we will contact to explain how we will respond.

5.8.33 During the meeting, as part of chair's announcements, any petitions received will be formally passed to the relevant Cabinet member or committee chair who will respond in writing to the petition organiser. You may ask your ward councillor to present the petition on your behalf. Petitions may also be sent in to:
Head of Democratic Services, Bury Council, Town Hall, Knowsley Street, Bury BL9 0SW or scanned and emailed to: councillorservices@Bury.gov.uk

5.8.34 What happens once a petition has been submitted?

5.8.35 All petitions sent or presented to the Council will receive an acknowledgement within 10 working days of receipt explaining how we will respond.

5.8.36 Details of all petitions received, and of our response, will be published on the website. The contact details of the petition organiser or signatories to a petition will not be placed on the website.

5.8.37 If your petition has been signed by a certain number of people who are registered to vote in the Borough (currently 2500) then you may request that the petition is scheduled for submission at the next ordinary meeting of the full Council. If that is the case the petition organiser will have up to 5 minutes to briefly present the petition at the meeting.

5.8.38 What do Councillors and officers do?

5.8.39 What Councillors do

5.8.40 Councillors are directly elected to represent the people and therefore have to consider not just the interests of their ward, but those throughout the whole Borough.

5.8.41 Your Councillors are responsible for making sure that the services that the council provides meet the needs of residents and those who work in Bury. They do this by setting the overall policies and strategies for the Council and by 28 April 2020

monitoring the way in which these are implemented. Councillors have a complex role and act in a number of capacities: as committee member, constituency representative and party activist.

- 5.8.42 The full Council of 51 members is responsible for agreeing the main policies and priorities for all services, including the Council's budget. The Cabinet have responsibility for all decisions which the law, or the Council, does not require to be taken by others and agrees policies and actions to implement the budget and policies set by full Council. Councillors who are Cabinet portfolio holders have more specialised roles in agreeing particular policies, representing the Council while at the same time working with other agencies to tackle issues such as improving overall health and wellbeing, social care and safeguarding, education, housing, transport, and promoting economic growth within the borough.

5.8.43 What Council officers do

- 5.8.44 Council officers are the professional people who work for the Council and who are paid to deliver the services agreed by councillors.
- 5.8.45 Officers help Councillors to develop policies and objectives through providing professional expertise and advice but they must remain impartial and serve the Council as a whole. Their main role is to provide the public with the highest possible standards of service within the budget that the Councillors set and in accordance with the priorities agreed by the Councillors.

5.8.46 What can my Councillor do for me?

5.8.47 Your Councillor can:

- be contacted to discuss your problem or ideas to improve the ward or borough
- help you if you need information or are dissatisfied with a Council service by advising or directing you to someone who can help sort out your problem, and can sometimes progress the case on your behalf
- as a community leader, put forward proposals to improve the ward they represent which may include bringing together different community groups to develop a case for change
- campaign on local issues
- represent your community within the Council and to other organisations
- speak at Planning Control and Licensing and Safety Committees on matters affecting the ward they represent
- ask questions or put forward views on your behalf at public meetings of the Council
- present petitions on your behalf
- get an issue (either within the remit of the Council or on a matter affecting the borough) debated at the full Council by submitting a motion.

5.8.48 Decisions

5.8.49 How do I know what decisions are being taken about matters that affect me or where I live?

- 5.8.50 We provide on our website (Forward Plan) summary information about future significant decisions to be taken by the Cabinet, together with contact details so that you can find out more information or provide your views. You can also contact your ward member and ask them to put forward your views on your behalf.
- 5.8.51 Planning or licensing applications which have been submitted are also published on the Council's website so that those who may be affected are able to make comments on the proposal.
- 5.8.52 The agendas and minutes of meetings are published on the website, and where a decision has been taken by a Cabinet member or officer, the decision report and notice of the decision are published on the website.

5.8.53 Are all decisions recorded and published?

- 5.8.54 Many are, but there are lots of day to day decisions which are not published. The Council has decided that officer decisions with a financial value of less than £100,000 will not be published unless there is a legal requirement to do so. This is because the number of such decisions would make it impractical to publish.

5.8.55 Why is some information kept confidential?

- 5.8.56 We aim to publish information unless there is good reason not to. Sometimes a decision takes into account information which may be personal to an individual, or which would compromise the commercial position of the council or another individual or organisation. There may be particular legal or employment reasons for not making the information public. When this is the case we will explain why the information cannot be made public, and will periodically review whether those reasons remain valid. If they do not we will then release the information.

5.8.57 How long is information about decisions kept?

- 5.8.58 Generally the law requires information to be available for public inspection for six years from the date of the decision.

5.8.59 How do I find out about decisions taken by partnerships?

- 5.8.60 Bury Council works with a wide range of partners to achieve shared objectives in an efficient and effective way. We keep a register of strategic partnerships on our website which includes information about where decisions taken by those partners is recorded and how you can find out more about them.

5.8.61 What if I can't find the information I am looking for?

- 5.8.62 The Freedom of Information Act 2000 gives you a general right of access to all types of recorded information that we hold. More information about how to make a request, and about your other legal rights to information, can be found at: Access to information

5.8.63 Other ways of getting involved

5.8.64 Planning

5.8.65 Information about planning applications submitted is available on the Council's website and public notices are displayed in the area affected. You may submit comments on a planning application which will be considered by the decision-maker. If the application raises unusual or sensitive planning issues you can ask your ward member to request that the application is considered by the Planning and Regulatory Committee rather than a single officer.

5.8.66 If you have provided comments on a particular planning application which is considered by the Planning and Regulatory committee you will be asked whether you wish to register to speak at the committee to present your views. Three minutes is generally set aside for public speaking in objection to an application Registration is on a first come first served basis. The time can be shared with the agreement of the person who has registered first.

5.8.67 Consultations

5.8.68 The Council encourages as many people as possible to give their views on decisions which affect them. Details of live consultations and how to get involved are available on the Council website at Get Involved. You can also find information about past consultations there.

5.8.69 Scrutiny reviews

5.8.70 You may request that a matter or concern be considered for inclusion in the future work programme of a scrutiny committee. The committees cannot include every suggestion but prioritise items taking into account: the significance and impact of the issue; the ability of scrutiny input to add value; the need to avoid any duplication; the timeliness of scrutiny involvement and the resources available to undertake the work.

5.8.71 The committee may invite members of the public to submit their views or evidence to Inform its work; when they do this the call for evidence will be publicised.

5.8.72 Vote

5.8.73 Elections take place for Bury Council every year as well as national elections, and police and crime commissioner elections. Your vote in all these elections and any other referendums that take place is important, but in order to vote you must be on the electoral register. Information about how to register is available at Register to Vote.

5.8.74 Stand for election

5.8.75 If you are interested in standing for election as a Bury Councillor you can find out more at Standing as a Councillor.

5.8.76 Volunteer

5.8.77 We provide a wide variety of services to people in Bury, particularly to those who are vulnerable and have complex needs. As more pressure is placed on our budget, and on the budgets of partner organisations, different ways of delivering these services are being developed. Individuals and communities are doing more to help each other and themselves. If you are interested in volunteering or have an idea for your community you would like to develop more information is available at Volunteering.

5.8.78 Give feedback

5.8.79 We want to hear what you think about our services. What you say is important and will help us improve our services. More information can be found at:

5.8.80 Find out more...

5.8.81 The Council's website provides lots of advice and information as well as access to online services and you can sign up to receive updates on particular matters of interest. If you can't find what you are looking for some useful contacts are below:

Customer Services

https://www.Bury.gov.uk/info/200148/your_council/50/contact_us

Freedom of information

https://www.Bury.gov.uk/info/200148/your_council/15/access_to_information/2

Governance

https://www.Bury.gov.uk/info/200148/your_council/61/get_involved

Find your Councillor information

https://www.Bury.gov.uk/info/200152/elections/219/election_information_for_your_area_search