



PROTOCOL FOR PUBLIC SPEAKING AT OVERVIEW AND SCRUTINY

APPLICATION OF PROTOCOLS

- 1.1 This protocol only applies to the scheduled meetings of the Scrutiny (Policy and Performance) Committee, the Scrutiny (Community and Regeneration) Committee and Joint meetings thereof. It does not apply to extraordinary meetings of either committee or any sub-committees and working groups that may be formed from time to time.
- 1.2 This protocol does not preclude an overview and scrutiny committee, by resolution of the committee, from inviting members of the public, organisations, charities, voluntary groups or any other interested parties to address any meeting for the purpose of providing evidence in support of the topic under consideration.
- 1.3 This protocol will apply with effect from 01 April 2009 and does not affect any rights to speak that you may have at another committee of the Council.
- 1.4 This protocol does not apply to petitions and the scrutiny work programme, which are covered by different procedures.

WHO CAN SPEAK?

- 1.5 Anyone who lives or works in the Dover District Council administrative area, including Town / Parish Councillors and County Councillors, are entitled to speak at a scheduled meeting of one of the Council's Overview and Scrutiny Committees, subject to he or she being present at the meeting when the Chairman of the committee calls upon them to speak. In the event that a person aged under 16 years of age wishes to speak at a committee meeting they must be accompanied by an adult.

- 1.6 This protocol does not apply in respect of Dover District Councillors, who should instead contact the Chairman of the relevant Overview and Scrutiny Committee prior to the meeting and request to address the committee. In the case of District Councillors who are dual hatted members, they will be treated as District Councillors for the purposes of this protocol.
- 1.7 In accordance with the provisions of the Code of Conduct adopted by Dover District Council, those Councillors with prejudicial interests in the item to be considered will still be able to make representations as if they were a member of the public.
- 1.8 In the event that several representatives from a single parish council register to speak in respect of the same agenda item, they will be grouped together and treated as one speaker for the purposes of this protocol. The parish councillor who first registered his or her wish to speak will be invited to speak first.

WHAT CAN I SPEAK ON AT THE MEETING?

- 1.9 A member of the public speaking on an agenda item must address their speech to the item they have registered to speak upon on the agenda and cannot address other agenda items or unrelated business.
- 1.10 The right of the public to speak, or indeed to attend, does not apply to business on the agenda in respect of which a resolution to exclude the press and public for the consideration of confidential or exempt business has been carried. For further information on confidential and exempt business please consult Part 4 (Access to Information Procedure Rules) of the Council's Consultation.
- 1.11 The Chairman of the committee (or in their absence the Vice-Chairman) in consultation with the Controlling Group Spokesperson (or in their absence the Deputy Controlling Group Spokesperson) can in exceptional cases withdraw the application of this protocol to any item prior to the publication of the agenda where in their view doing so will assist the conduct of business at the meeting. In all cases, the agenda will state where the right of public speaking has been withdrawn.

- 1.12 Each registered speaker will have three minutes speaking time per item they have registered to speak on and no public speaker or parish council may register to speak on any more than two items on the agenda.
- 1.13 The right of the public to speak does not apply to the following agenda items: Apologies; Appointment of Substitute Members; Minutes; the Forward Plan, the Scrutiny Work Programme or any agenda item that is not accompanied by a written report.
- 1.14 The right to speak does not include the right to ask any questions of any District Councillor, Officer of the Council, invited attendee, or any other public speaker.
- 1.15 Any public speaker should declare at the start of their allotted speaking time if they have a current or prospective financial interest in the subject under discussion.

WHAT WILL HAPPEN AT THE MEETING?

- 1.16 The Chairman of the committee (or in their absence the Vice-Chairman) will, at the designated point on the agenda, invite people who have registered to speak to identify themselves. The speaker (or speakers where it is a group of Parish Councillors) will then be called upon to move to the designated place and speak for three minutes.
- 1.17 A maximum of thirty minutes will be allocated for public speaking at the meeting. In the event there are insufficient speakers registered to fill the allotted thirty minutes, the public speaking time will be ended after the final registered speaker.
- 1.18 The Chairman of the committee (or in their absence the Vice-Chairman) will have discretion to vary the time allowed and the number of speakers in cases of exceptional interest.
- 1.19 The Chairman of the committee (or in their absence the Vice-Chairman) will have the discretion to stop a speaker before their allotted time has concluded if in the Chairman's view the speaker is making any comments that are, or appear to be, defamatory, vexatious, discriminatory, contain offensive

- 1.20 In the event that the Chairman of the committee (or in their absence the Vice-Chairman) exercises his or her discretion to stop a speaker before their allotted time has concluded their decision is final.
- 1.21 The failure of any person to attend and exercise the right to speak will not by itself affect the right to speak of any other person.
- 1.22 Any Committee Member or Officer of the District Council may ask questions of any speaker after their allotted speaking time has elapsed but these should be confined to points of clarification or material consideration only.
- 1.23 While the Overview and Scrutiny Committee will consider the comments that have been made by public speakers in forming its recommendations it reserves the right to form its own conclusions as it sees appropriate.

HOW DO I REGISTER TO SPEAK?

- 1.24 Members of the public who wish to register to speak at meetings of the Council's Overview and Scrutiny Committees should apply in writing using the designated application form by 2.00pm on the second working day before the meeting. Those members of the public who are successful in registering to speak will be advised on the working day before the meeting.
- 1.25 There is a maximum of four speakers permitted to register to speak in relation to any one agenda item, and applications will be accepted in the order in which they have been received.
- 1.26 Members of the public who wish to register to speak are permitted to circulate documentary or photographic evidence at the meeting with the prior consent of the Chairman (or in his or her absence, the Vice-Chairman) of the relevant Overview and Scrutiny Committee. A copy of the supporting evidence should be submitted with your application form and is limited to not more than one side of A4.

1.27 To register, the form should be returned for the attention of the Democratic Support Officer, Dover District Council, White Cliffs Business Park, Dover, Kent CT16 3PJ or send by facsimile on 01304 872452 or by e-mail to scrutiny@dover.gov.uk