

# The Local Government and Elections (Wales) Act 2021: Statutory Guidance for Community and Town Councils

## 3. Chapter 3 - Participation at Meetings

- 3.1. In practice, many councils have already introduced formal or informal ways for public participation in their meetings. Prior to the passing of the 2021 Act, members of the public had a statutory right to attend council meetings of community councils, but could only speak at the discretion of the person presiding at the meeting.
- 3.2. Section 48 of the 2021 Act makes provision for public participation at full community council meetings or those part of meetings which are open to the public. The person presiding over the meeting must give members of the public in attendance a reasonable opportunity to make representations about any business to be discussed at the meeting, unless doing so is likely to prejudice the effective conduct of the meeting. This does not mean that members of the public can take part in debate, but they must be given *a reasonable opportunity to make representations about business to be discussed*.
- 3.3. One option for managing this is to invite members of the public in attendance to contribute views on business items where relevant, and to apply a reasonable time limit. Chairs may wish to ask members of the public to signal in advance which items they wish to address. It is respectful to acknowledge and respond to those additional contributions as they reflect opinions from engaged members of the community.
- 3.4. Members of the public may slightly overrun and should be given reasonable time to conclude. However, if they disrupt the conduct of the meeting and make it difficult to continue, the Chair may wish to consider procedures for stopping that disruption, including formal warning to stop, pausing the meeting and/or removal of the source of disruption.
- 3.5. In the interests of transparency, impartiality, and resolving potential misunderstandings, it is recommended that the rules about public participation in council meetings should be set out and published in the council's standing orders and made available on the council's website.