

# Part 2

## Articles of the Constitution



### Article 3: Citizens and the Council

#### 3.1 Citizens' rights

Citizens have the following rights.

- (a) **Voting:** Citizens on the electoral roll for the area have the right to vote.
- (b) **Petitions:** Citizens on the electoral roll for the area have the right to sign and submit to the Council:
  - (i) a petition to request a referendum for an elected mayor form of Constitution
  - (ii) a petition on any subject.

The Council will deal with petitions in accordance with the statutory rules that apply to them and with the Council's own petitions scheme.

- (c) **Information:** Citizens have the right to:
  - (i) attend those formal meetings of the Council, the Executive and other bodies of the Council except where confidential or exempt information is likely to be disclosed, and the meeting is therefore held in private;
  - (ii) find out from the Forward Plan what key decisions will be taken by the Executive and when;
  - (iii) see reports and background papers, and any records of decisions made by the Council, the Executive or any of the other bodies;
  - (iv) inspect the Council's accounts within 15 working days of the publications of notice in the local newspaper and make their views known to the external auditor.(Citizens' rights to information are explained in more detail in the Access to Information Procedure Rules in Part 4 of this Constitution);and
  - (v) access information held by the Council under the Freedom of Information Act.

(d) **Participation:** Citizens-

- (i) have the right to participate in the public question time sessions at Executive and the public forum sessions at meetings of the Salcombe Harbour Board and the Overview & Scrutiny Panel;
- (ii) may be invited to contribute to a formal meeting of the Overview & Scrutiny Panel or to any of its Task and Finish Groups;
- (iii) may participate in the respective public participation schemes of the Development Management and Licensing Committees.

(e) **Complaints:** Citizens have the right to complain to:

- (i) the Council itself under its complaints scheme;
- (ii) the Local Government Ombudsman, ( after using the Council's own complaints scheme);
- (iii) the Council's Monitoring Officer about a breach by a councillor of the Members' Code of Conduct (see Part 5 of this Constitution).

### 3.2 **Citizens' responsibilities**

Citizens must not be violent, abusing or threatening to Councillors or officers and must not wilfully damage or harm things owned by the Council, Councillors or officers.