

Article 3 – Local People/Organisations and the Council

3.01 The rights of local people and organisations

The rights of local people and organisations to information and to participate are explained in more detail in the Standing Orders in relation to Access to Information set out in Part 4 of this Constitution. However, in brief, local people have the following rights:

(a) Voting and petitions

Local people on the electoral roll for Torbay have the right to vote to elect their ward councillors and to sign a petition to request a referendum on whether to change the form of governance arrangements. A governance referendum was held on 5 May 2016 and residents chose to change the form of governance from an elected mayor and cabinet to a leader and cabinet. The next governance referendum cannot be held until 5 May 2026.

(b) Information

Local people have the right to:

- (i) attend meetings of the Council and its committees and any decision making meetings of the Cabinet 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 Leader of the Council and when;
- (iii) see reports, background papers and the record of decisions made by the Council, the Leader of the Council and the Overview and Scrutiny Board and other committees; and
- (iv) inspect the Council's accounts and make their views known to the external auditor.

(c) Participation

Local people have the right to participate in the Council's question time sessions. The rules governing these sessions are set out in the Standing Orders in relation to Council Meetings. Local people also have the right to contribute, by invitation, to investigations by the Overview and Scrutiny Board, its sub-committees and working parties. Local people will be encouraged to participate in the work of the Community Partnerships.

(d) Complaints

Local people have the right to complain to:

- (i) the Council itself under its complaints scheme;
- (ii) the Ombudsman after using the Council's own complaints scheme; and
- (iii) the Council's Monitoring Officer about a breach of the Members' Code of Conduct.