



OFFICER REPORT TO LOCAL COMMITTEE (MOLE VALLEY)

LOCAL PROTOCOLS

08 JUNE 2011

KEY ISSUE

The County Council has agreed that Local Committees can make their own arrangements for handling matters related to public engagement, provided that these arrangements are set out in an approved protocol that is, in effect, a local addition to standing orders.

SUMMARY

The intention is to review Local protocols annually in order to take into account changes to the constitution, membership and local circumstances. The previous report presented to Committee in June 2009 proposed a protocol to deal with public questions and petitions to the Local Committee from 2009-2013. Based upon experience over the last 12 months, Councillors may suggest amendments or may agree to endorse the existing arrangements for a further 12 months. Councillor's received suggestions for 2011/12 include the amendments in recommendation (ii)

OFFICER RECOMMENDATIONS

The Local Committee (Mole Valley) is asked to:

- (i) agree the following Councillor suggested amendments applicable for the council year 2011/12:
 - a) Number of public questions received to be at the Chairman's discretion
 - b) Number of petitions received to be at the Chairman's discretion
 - c) The section of the meeting covering public questions and petitions not to exceed half an hour.

- d) The agenda and timing of individual items will be managed so as to ensure the meeting does not exceed 3 hours in total ;

and

- (ii) consider the local protocol as set out in this report and to suggest any further amendments they deem necessary based on the experience of the last 12 months;

or

- (iii) to make no change to protocol and endorse the current arrangements for a further 12 months.

1 INTRODUCTION AND BACKGROUND

- 1.1 In the County Council's Constitution, Standing Orders 40.1 and 40.2 state that:

“Local Committees shall comply fully with these Standing Orders (parts 2 and 3) except where they draw up local protocols allowing them discretion to make minor variations to working practices which may only relate to arrangements for public engagement, including arrangements for the presentation of petitions, public question time etc. and monitoring service performance locally.

Any local protocols shall be drawn up by the Area Director in consultation with the Democratic Services Lead Manager, and approved by the Local Committee”.

- 1.2 This report reminds members of the local protocol that the Local Committee (Mole Valley) adopted in June 2009:

Public Questions:

- (i) the committee will offer an opportunity for public engagement and informal questions at each formal Local Committee meeting;
- (ii) written public questions, dealt with as part of the formal agenda, may be accepted up to 12.00 noon four working days before the day of the meeting, but fourteen days before the committee if a written response is required at the meeting;
- (iii) members of the public may ask one brief supplementary question relevant to the subject of the original, at the discretion of the chairman.

Petitions:

That the committee will accept a petition carrying 10 or more signatures, although in exceptional circumstances the Chairman may use his/her discretion to accept petitions with fewer signatures in cases where it would not be appropriate to get 10 signatures, for example where a proposed scheme affects fewer than 10 properties.

- 1.3 Public Questions

Standing Orders 66 to 66.7 relate to public questions

Standing Order 66.2 states that the notice for public questions is 7 days. The Committee has agreed previously that the notice should be four days, in line with the notice period for member questions.

It also accepted that, at the discretion of the chairman, members of the public may ask one brief supplementary question relevant to the subject of the original.

At present, members of the public may ask an open public question under agenda item 'PUBLIC AND MEMBER QUESTIONS'.

There is no limit to the number of oral questions which may be asked at any one meeting, although the time available to ask questions is usually limited to 20 minutes.

For written public questions copies of any questions received in writing will be circulated to Members of the local committee in advance, providing the question was received 14 days in advance of the meeting. Otherwise, a response will be provided after the meeting.

1.4 Petitions

Standing Orders 65.1 to 65.6 relate to petitions.

Standing Order 65.1 states that petitions presented require 100 signatures.

However, the Local Committee may wish to have brought to its attention matters affecting relatively few households. In most cases, a decision to allow petitions which carry at least 10 signatures will address this, but in some circumstances it may be appropriate for the chairman to exercise discretion to accept a petition carrying fewer signatures. For example, where the issue related to a circumstance which affected fewer than 10 households.

A maximum of 3 petitions can be presented at any one meeting of the local committee.

A spokesman for the petitioners can address the local committee on the subject of the petition for 3 minutes. The Chairman will then accept the petition on behalf of the local committee. If the petition is submitted 14 days before Local Committee, an officer will respond to the petition. If the petition is not submitted 14 days prior to the Local Committee, the petition will be referred without discussion to the next appropriate meeting of the local committee.

2 CONSULTATIONS

2.1 Consultation was taken at the Informal Local Committee (Mole Valley) in February 2009. Members were asked to comment on the current protocols and suggest changes, amendments or best practise.

2.2 No comments were received.

3 OPTIONS

- 3.1 Option 1, Committee members may put forward suggestions as to how the current local arrangements might be varied to facilitate engagement with the public, or
- 3.2 Option 2, Committee can continue to endorse the existing arrangements.

4 FINANCIAL AND VALUE FOR MONEY IMPLICATIONS

- 4.1 There should be no financial implications in adopting the recommendations.

5 EQUALITIES AND DIVERSITY IMPLICATIONS

- 5.1 By making the local committee more accessible to the public and relaxing the standing protocols, more residents have the ability to effect local decision making.
- 5.2 All Local Committee venues are subject to an equalities and disability assessment before being booked.

6 CRIME AND DISORDER IMPLICATIONS

- 6.1 There are no crime and disorder implications

7 CONCLUSION AND RECOMMENDATIONS

- 7.1 The Council has amended Standing Orders to allow Local Committees to vary procedural rules to make their proceedings more accessible and to promote engagement with the public. Within the limited scope afforded by this relaxation, the report proposes that the current practice of the Local Committee (Mole Valley) is continued.
- 7.2 The Local Committee (Mole Valley) is asked to:
 - a) consider the local protocol as set out in this report and to suggest any amendments they deem necessary based on the experience of the last 12 months, or
 - b) to endorse the current arrangements for a further 12 months.

8 REASONS FOR RECOMMENDATIONS

- 8.1 The officer's recommendation asserts that the amended standing orders allow the Local Committees to be more accessible to local residents, promote local responsibility and give residents the ability to affect local decision-making in line with the County Council's commitment to localism and encourages Members to give consideration to how, based on their experience, this might be maintained or improved.

9 WHAT HAPPENS NEXT

- 9.1 The Local Committee (Mole Valley) will work within the agreed local protocols, whether amended or retained, for the next twelve months.

LEAD OFFICER: Carolyn Anderson
TELEPHONE NUMBER: 03456 009 009
E-MAIL: Carolyn.anderson@surreycc.gov.uk
BACKGROUND PAPERS: Surrey County Council's Constitution