



OFFICER REPORT TO LOCAL COMMITTEE (REIGATE AND BANSTEAD)

LOCAL COMMITTEE PROTOCOLS AND TASK GROUP REPRESENTATION 2012/13

18 JUNE 2012

KEY ISSUE

The Committee is being asked to consider and approve the local protocols, task group terms of reference and task group membership for 2012/13.

SUMMARY

Local Committees are bound to comply with Standing Orders Sections 2 and 3 of the Council's Constitution except where the Committee draws up local protocols setting out minor variations to working practices based on improving public engagement (SO 41.4). The Council has also put in place arrangements for public speaking in relation to Rights of Way (ROW) matters. The Local Committee also has a financial protocol setting out delegated powers for agreeing Member Allocations.

This report sets out the Local Committee's Protocol for Public Engagement and the Financial Protocol, and seeks to confirm membership of the Committee's task groups for 2012/13.

OFFICER RECOMMENDATIONS

The Local Committee (Reigate and Banstead) is asked to confirm:

- (i) The provisions of the Local Protocol on Public Engagement as set out in Annex A;
- (ii) The Local Financial Protocol as set out in Annex B;
- (iii) The terms of reference for the Youth and Local Sustainable Transport Fund Task Groups as set in Annexes D and E;
- (iv) The membership for these Task Groups for 2012/13.

1. INTRODUCTION AND BACKGROUND

Local Protocol for Public Engagement

- 1.1 It is important that people who live and work in Reigate and Banstead are able to influence what happens in the borough. One of the aims of the Committee is to ensure that the aspirations and concerns of residents are taken into account when decisions are made about the local area.
- 1.2 The County Council's Constitution sets out how committees can engage with members of the public at formal meetings. At its meeting on 4 May 2004, the County Council agreed that Local Committees should have the ability to operate more flexibly in relation to public engagement at its meetings in public. Subsequently, on 28 April 2009, the County Council further agreed to extend public speaking to those occasions when Local Committees are considering Rights of Way matters.
- 1.3 To enable this flexibility, it was agreed that although Local Committees should comply fully with Standing Orders (Parts 2 and 3), they might develop local protocols setting out minor variations to working practices to enhance public engagement. These protocols would be subject to consultation with the Head of Legal and Democratic Services, and the Democratic Services Lead Manager.
- 1.4 The Local Committee has developed its Protocol (**Annex A**) through formal decisions at previous committee meetings. The Committee is reminded of arrangements, which have been put in place to permit local businesses to present petitions and questions to all local committees.
- 1.5 The Local Committee will be asked to review its Protocol for Public Engagement following the completion of the Community Partnerships Team Public Value Review.

Local Financial Protocol

- 1.6 Since their inception in 2002, Local Committees have received delegated funding to allocate in their local area. The funding was allocated to promote social, environmental and community wellbeing.
- 1.7 The Scheme of Delegation was amended in August 2011 to reflect the change in structure of the former Local Partnerships Team to become the Community Partnerships Team, with the replacement of four Area Directors with a Community Partnerships Manager and two Team Leaders (East and West).
- 1.8 The Local Committee (Reigate and Banstead) agreed revisions to the Local Financial Protocol on 5 December 2011. These enabled the Community Partnerships Manager and Team Leader (East Surrey) to

approve delegated revenue and capital allocations up to and including £1,000. The current Local Financial Protocol is attached as **Annex B**.

- 1.9 Funding must be agreed at a formal meeting of the committee, except when approved under the delegated powers granted to the Community Partnerships Manager and Team Leader (East Surrey) in the local financial protocol (**Annex B**). The County Council has set certain criteria for any delegated powers, and these are included in the protocol, and cannot be changed by the local committees.
- 1.10 The Local Committee can, if it chooses, expand the criteria for allocating funding. (For example, setting a limit on the percentage of total funding the allocation can be for, or limiting the number of allocations an organisation can receive in any one year).
- 1.11 It may also wish to take the opportunity to widen criteria to all allocations, not just those agreed by any delegated powers.
- 1.12 All funding must meet the requirements of the county council's financial framework. This is attached as **Annex C** for information.

Task Groups

- 1.13 Each year the Local Committee is asked to consider the work that would be considered at formal meetings and the relevant task groups that should be established to support the Committee in its work.
- 1.14 In 2011/12, the Local Committee set up the following Task Groups: Youth and Local Sustainable Transport Fund.
- 1.15 Due to the success of these Task Groups, the recommendation is to re-establish these Task Groups for 2012/13 with the terms of reference set out in **Annexes D and E**.
- 1.16 The Local Committee is also asked to confirm the membership of its Task Groups for 2012/13.

2 OPTIONS

- 2.1 The Committee can confirm the Local Protocol for Public Engagement as set out in Annex A, amend the protocol or not confirm a protocol for public engagement.
- 2.2 The Committee can confirm the Local Financial Protocol as set out in Annex B, amend the protocol or not confirm a Local Financial Protocol.
- 2.3 The Committee can confirm the task groups (and corresponding terms of reference) set out within the report, consider new task groups, or not

have any task groups. If a task group is established a provisional terms of reference should be agreed.

3 CONSULTATIONS

- 3.1 The County Council has consulted on the Standing Orders set out within the Constitution. The Head of Legal and Democratic Services and the Democratic Services Lead Manager have been consulted on the draft protocol.
- 3.2 Task Groups have been proposed in response to requests from Members in relation to the workload of the Committee for the 2012/13 year.

4 FINANCIAL AND VALUE FOR MONEY IMPLICATIONS

- 4.1 There are no specific financial implications that arise from the recommendations in the report. Work to support the recommendations will be undertaken within current resources.

5 EQUALITIES AND DIVERISTY IMPLICATIONS

- 5.1 The protocol for public engagement seeks to extend the opportunities for all residents to engage with the work of the Local Committee.

6 CRIME AND DISORDER IMPLICATIONS

- 6.1 There are no specific crime and disorder implications that arise from the recommendations in the report.

7 CONCLUSION AND RECOMMENDATIONS

- 7.1 There are no changes to the protocols being proposed to that agreed by the Committee in 2011/12. The protocol for public engagement has been successful in attracting a high level of public interest and it is invited to endorse the protocol set out in Annex A. The Local Financial Protocol is working well at this time.
- 7.2 There are no significant changes to the types of the task groups being proposed to that agreed by the Committee in 2011/12 as the task groups ran successfully last year to support the Committee.

8 REASONS FOR RECOMMENDATIONS

- 8.1 The Local Protocol for Public Engagement enables the committee to engage residents in the decision making process of the Local Committee.

- 8.2 The Local Financial Protocol enables delegated decisions on Member Allocations of £1,000 or under to be agreed in between formal meetings of the Local Committee.
- 8.3 The Task Groups enable the Local Committee to carry out its work in an efficient and expedient manner.

9 WHAT HAPPENS NEXT

- 9.1 The Local Committee will be asked to review the Protocol for Public Engagement following the completion of the Community Partnerships Team Public Value Review.
- 9.2 The Local Committee will be asked to review the Local Financial Protocol, Task Group terms of reference and Task Group membership in June 2013.

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BACKGROUND PAPERS: Surrey County Council Constitution
 Reports to Local Committee:
 21 June 2010 – Local Protocols
 20 June 2011 – Local Committee Protocol for Public Engagement
 5 December 2011 – Revisions to Local Financial Protocol

**SURREY COUNTY COUNCIL'S LOCAL COMMITTEE
(REIGATE AND BANSTEAD)**

LOCAL PROTOCOL (Public Engagement and Service Monitoring)

Petitions

- 65.1 The minimum number of signatures required in petitions presented to the Committee be thirty. In exceptional circumstances, the Chairman may use their discretion to accept petitions with fewer signatures. Such circumstances would be those where the issue related to a scheme where fewer than 30 households would be affected.
- 65.3 Notice must be given in writing or by e mail to the Community Partnership and Committee Officer at least seven days before the meeting.

Local Service Monitoring

The Local Committee will work to monitor and improve local service performance and partnership working in Reigate and Banstead by:

- Inviting Borough Council members of the Committee to join discussions (but not hold voting rights) on a range of issues in addition to transportation and highway matters;
- The Chairman of the Local Committee inviting partners, such as the Leader of the Borough Council, to join discussions (but not hold voting rights) at Local Committee meetings;
- Varying Committee meeting venues, including Surrey County Council offices, Reigate Town Hall and community venues;
- Focusing on monitoring and improving partnership work in certain areas. Such areas could include:
 - Independent adult living, elderly or vulnerable people
 - Environment/street scene issues
 - Young People and children
 - Waste
 - Community Safety
 - Specific geographical areas
 - Any other relevant area.
- County Councillors joining the local Reigate and Banstead Borough Council Local Community Action Plan (LCAP) Steering Groups.

The Local Committee has made no amendments to the following, set out in the County Council's Constitution:

Petitions

65.2 A spokesman for the petitioners may address the Committee on the petition for no more than 3 minutes, but thereafter may not speak further. The petition may be referred without discussion to the next appropriate meeting of the Committee at the discretion of the Chairman.

65.4 No more than three petitions may be presented at any one meeting of the Committee.

65.5 The Chief Executive may amalgamate within the first received petition other petitions of like effect on the same subject.

65.6 The presentation of a petition on the same or similar topic as one presented in the last six months will not be allowed.

Public Question Time

66.1 At the start of any ordinary meeting of the Cabinet or any Committee, any member of the public who is an elector of the Surrey County Council area may ask one question relating to a matter within the Cabinet's or Committee's terms of reference. In addition, a local business may ask one question at an ordinary meeting of a Local Committee. Questions will not be allowed on matters which are "confidential" or "exempt" under the Local Government Access to Information Act 1985 or on planning applications. Questions should relate to general policy and not to detail.

66.2 Notice must be given in writing or by email to the Chief Executive at least 7 days before the meeting.

66.3 The Chief Executive may, having consulted the questioner, reword any question received to bring it into proper form and to secure reasonable brevity. Copies will be circulated to Members of the Cabinet or the Committee as appropriate.

66.4 Questions will be taken in the order in which they are received by the Chief Executive and directed to the Leader, Deputy Leader or appropriate Cabinet Member or Committee Chairman. Questions will be asked and answered without discussion. Any Member may decline to answer a question, provide a written reply or nominate another Member to answer it on his/her behalf.

66.5 following the initial reply by the Leader, Deputy Leader or Cabinet Member or Committee Chairman, one supplementary question may be asked by the questioner. The Leader, Deputy Leader or Cabinet Member or Committee Chairman may decline to answer a supplementary question.

66.6 The number of questions which may be asked at any one meeting may not exceed six and the Chairman may exercise his/her discretion to regard a

single question which has been divided into a number of sub-questions as several different questions within the allowable total number which may be asked at the meeting. The Chairman may also disallow questions which are repetitious.

66.7 Questions which are received after the first six to be received will be held over to the following meeting, or dealt with in writing at the Chairman's discretion.

Public Speaking on Public Rights of Way Applications

(Cf County Council Standing Orders 67.1-10)

1. Members of the public and their representatives may address the Local Committee on applications relating to public rights of way being considered by the Committee.
2. Members of organisations or elected representatives of parish, borough or district councils who have been formally consulted on the application are not eligible to speak.
3. Speakers must first register their wish to speak by telephone or in writing/e-mail to the Local Committee and Partnership Officer by 12 noon one working day before a meeting stating on which item(s) they wish to speak.
4. Speakers can register their wish to speak from the date of publication of the Local Committee agenda.
5. Only those people who have previously made written representations in response to an application will be entitled to speak. Written representations must have been made at least 14 days in advance of the committee meeting to the Rights of Way Team.
6. Speakers must declare any financial or personal interest they may have in the application.
7. Registration of speakers will be on a first come first served basis and speakers will be taken in the order in which they are registered, with the first five registered being entitled to speak. Where more than one person has registered an interest to speak, the subsequent speakers will be entitled to speak first if the first named speaker is not in attendance five minutes before the start of the meeting. Representations can be combined if necessary. A reserve list will also be maintained if necessary.
8. The time allowed for public speaking will be limited to 15 minutes for objectors and 15 minutes for supporters per item, and to 3 minutes per speaker.
9. Only if a member of the public or their representative speaks objecting will the applicant/agent be allowed to speak and then only to respond to the

points raised by the objectors, and will be limited to 3 minutes for each objector who has spoken.

10. No additional information may be circulated by speakers at the meeting and they will have no right to speak or question Members or officers once they have made their submission.
11. Speeches will precede the Committee's formal discussion on each application requiring the Committee's attention.
12. The right to speak will only be exercised at the first meeting at which the application is considered and will not normally be the subject of further presentations at any subsequent meeting unless significant changes have taken place after a deferral by the Committee, or there has been a gap of six months or more between the meetings
13. If an item is deferred, either before the meeting (but members of the public have registered to speak), or at the meeting before public speaking and any debate has taken place, then the right to speak will still exist when the application is reported to the Committee. The list of speakers will be carried forward to the meeting the application is reported back to. Those on the list will be contacted in writing and asked to confirm whether or not they still wish to speak.

**SURREY COUNTY COUNCIL'S LOCAL COMMITTEE
(REIGATE AND BANSTEAD)**

LOCAL FINANCIAL PROTOCOL

Authority is delegated to the Community Partnership Manager and Community Partnership Team Leaders to approve allocations (subject to the conditions below, and within the county council's constitution), in consultation with the Chairman and local Members.

Requests to approve funding under these delegated powers will be circulated to County Councillors via e-mail for comment.

If no concerns are raised within 14 days the allocation will be approved, and noted at the next formal committee meeting. If any concerns are raised, the decision will be taken to a formal committee meeting for discussion.

All funding must meet the requirements of the County Council's financial framework. The following criteria for approving grants from Members' revenue and capital allocations under delegated powers have been set by the County Council:

- a. The application must have been endorsed by the appropriate local Member.
- b. The application should be for a maximum of £1000.
- c. Applications from private clubs or other membership organisations must clearly demonstrate the wider community benefit of the project.
- d. Projects must not contravene any of the Council's agreed policies or priorities.
- e. The application should be for a future project, not a retrospective request.
- f. The application should not be to cover ongoing revenue costs.

The Local Committee can, if it chooses, expand the criteria for allocating funding under delegated powers. At present it has not set any further criteria.

Delegated approval is only permitted between the first and last committee meetings of the council year. This will ensure that all allocations are processed in good time, and that allocations can be referred to a formal committee meeting if required.

Proposal forms will need to be completed for all allocations, regardless of the approval process.

The Local Committee will review the Local Financial Protocol annually.

FRAMEWORK PRINCIPLES

1. To give Local Committees maximum flexibility, the key underlying principle is that Local Committees are at liberty to spend on locally determined purposes that meet local social, economic or environmental well-being.
2. As with all expenditure by the Council, spending by Local Committees should:
 - be directed to activities for which the County Council has legal powers;
 - meet demonstrable local needs;
 - deliver value for money, so that there is evidence of the outcomes achieved;
 - be consistent with County Council policies;
 - be approved through a process that is open and transparent, consultative, accountable, and auditable; and
 - where appropriate, allow opportunities to be taken to pool funds with partner organisations.
3. To support the Local Committees, the Community Partnership Manager and Community Partnership Team Leaders will develop local financial management arrangements to control and monitor expenditure against budgets decided by the Committees. These will accord with best practice principles and will demonstrate proper stewardship and accountability for all resources applied, and be agreed with the Head of Finance.

DELEGATED FUNDING

4. Local Committees have three sources of funding for which they have delegated authority:
 - i. an annually agreed revenue budget per Member of the Committee; and
 - ii. an annually agreed budget for capital funding for each Committee; and
 - iii. an annually agreed budget allocation for each Committee for capital grants to voluntary organisations.
5. The revenue funding allocated per Member of the Committee can be used to promote the community well-being of the locality covered by the Committee. Individual Members may bring forward proposals for approval by the Committee and may choose to combine the sums. The Committee may not apply any individual Member's allocation against his or her wishes.
6. The County Council will agree each year the actual amount of revenue funding available to each Member and the capital funding available to the Committee.
7. The annually agreed budget allocations for capital funding for locally determined schemes can be used only on capital projects, and may not be used to support revenue expenditure, such as staffing. This funding can be used only in the process of creating or extending the useful life of an asset and be consistent with the County Council's accounting policies in line with the requirements of the statutory accounting framework. Although primarily allocated for transportation purposes, this funding may be used for other functions. This annual allocation is subject to the carry-forward of any underspend or overspend from the previous year.
8. The budget allocation for capital grants to voluntary organisations must meet the following criteria:
 - (a) it must be applied to physical assets with a life of more than one year;

- (b) such assets include land, buildings, property refurbishments, vehicles, plant, major items of equipment etc; and
- (c) this funding must not be applied to meet staffing costs or other routine running costs.

Although primarily allocated for the purpose of support to the voluntary sector, this funding may be used for other functions.

DEVOLVED FUNDING

9. Each Local Committee will also receive devolved capital and revenue funding for transportation purposes. The Committee may not vire this funding to other areas or delegated responsibilities.

10. In determining the use for the revenue funding the Local Committees will take account of LTP objectives, and any objectives set in the local community plan and make decisions on how much to allocate to a broad range of functional activities. Highways Group Managers, in consultation with their Local Committees, can vire up to 100% of the revenue maintenance budget allocated to a functional heading, subject to the approval of the Head of Surrey Highways in consultation with the Cabinet Member for Transport for sums over £100,000.

11. Capital allocations are agreed annually in consultation with Members and approved by the Cabinet. A programme of works for this funding will be submitted to the Local Committee for its approval.

BUDGET SETTING AND PLANNING

12. Within the Framework Principles above the Local Committees may determine to use their budgets to meet the aims of improving wellbeing in their locality. However, it would assist service managers in their business planning if Local Committees could identify and agree priorities in consultation with partners and service managers and take steps to avoid duplication, particularly where commissioning voluntary sector service provision. The aims and objectives of the proposed expenditure should be based on the evidence of need.

13. Local Committees may choose to allocate resources at any time and to this end may hold back funds to respond to local needs throughout the year. However, it would be best practice to identify priorities and allocate resources as part of the budget setting cycle of the County Council.

14. Local Committees may choose to give grants, purchase equipment, enhance current services or promote new initiatives in the pursuance of local well-being. In accordance with new Council practice, when commissioning such services and projects funding agreements or contracts will be used and include appropriate volume and quality standards. The Community Partnership Manager and Community Partnership Team Leaders will report back to the Committee on performance and progress on these.

15. Community Partnership Manager and Community Partnership Team Leaders and service managers will need to advise on any on-going revenue consequences of revenue and capital decisions agreed by Local Committees. In addition, when commissioning capital projects appropriate legal and financial advice will need to be sought

BUDGET MONITORING AND MANAGEMENT

16. Where the Local Committee commissions a Surrey County Council service, expenditure will be incurred by the service. There will be a budget transfer from the Local Committee to fund this expenditure.

17. Where the Local Committee commissions an external organisation, the normal financial regulations and contract standing orders for the County Council will apply. Where commissioning voluntary sector services, the requirements of the Surrey Compact and associated Codes of Practice should be met. The Local Partnerships Team will administer payments and fully record transactions in accordance with agreed local financial management arrangements.

18. The Local Committee will monitor performance and the budget on a regular basis and receive reports from the Community Partnership Team Leader.

19. In order to allow greater flexibility between financial years, underspendings may be carried forward from one year to permit expenditure in the following year. Proposals to carry underspendings forward will be subject to Cabinet approval as part of the County Council budget monitoring and outturn reporting processes. The underspendings will result from planned spending decisions and must not be simply a means of utilising fortuitous savings.

20. It is expected that overspendings at the year-end will be carried forward and offset against the approved budget for the new financial year.

21. The budget to provide support to the Local Committees is fixed and covers the Community Partnership Manager and support. Local Committees should bear this in mind when commissioning expenditure on projects. However, the Local Committee may supplement the support budget from within its own delegated resources.

YOUTH TASK GROUP TERMS OF REFERENCE

Objective:

The Local Committee (Reigate and Banstead) agreed on the 20 June 2011 that a Youth Task Group is established to assist and advise the Local Committee in relation to Youth Issues and the future delivery of Youth Provision locally.

The Youth Task Group is established jointly with Reigate and Banstead Borough Council.

Membership

The Task Group will contain four appointees from the Local Committee - two County and two Borough Councillors. In addition the Task Group can invite up to four young people from the borough, all with equal status. The Task Group may also consult with other relevant members of the Committee.

General

1. It is proposed to establish a Youth Task Group. The Task Group shall exist to advise the Local Committee. It has no formal decision making powers. The Task Group will:
 - A. Unless otherwise agreed, meet in private
 - B. Develop a work programme
 - C. Record actions,
 - D. Report back to the Local Committee on progress.
2. The Task Group's function is to assist and advise the Local Committee in relation to Youth Issues and the future delivery of Youth Provision locally.
3. Officers supporting the Task Group will consult the Group and will give due consideration to the group's reasoning and recommendations prior to the officer writing their report to the parent Local Committee.
4. The Task Group can, should it so wish, respond to an officer report and submit its own report to the Local Committee.
5. The Task Group terms of reference and membership is to be reviewed and agreed by the Local Committee annually.

LOCAL SUSTAINABLE TRANSPORT FUND TASK GROUP TERMS OF REFERENCE

Objective:

The Local Committee (Reigate and Banstead) agreed on 5 December 2011 that a Local Sustainable Transport Fund Task Group be established to advise the Local Committee on the progress of the Local Sustainable Transport Fund during the year. It will achieve this through a process of monitoring and reviewing the current draft Local Sustainable Transport Fund programme and reviewing the results of public consultations prior to consideration by the Local Committee.

The Local Sustainable Transport Fund Task Group is established jointly with Reigate and Banstead Borough Council.

Membership

The Task Group will consist of five Members of the Local Committee; three County and two Borough Councillors, appointed by the Local Committee at its first meeting of the municipal year.

General

1. It is proposed to establish a Local Sustainable Transport Fund Task Group. The Task Group shall exist to advise the Local Committee. It has no formal decision making powers. The Task Group will:
 - A. Unless otherwise agreed, meet in private
 - B. Develop a draft work programme
 - C. Record actions
 - D. Report back to the Local Committee on progress
2. The Task Group's function is to advise the Local Committee on the progress of the Local Sustainable Transport Fund during the year. It will annually (at the first formal meeting after the beginning of the municipal year):
 - Determine the role and lifespan of the Task Group.
 - Review the operation of the Task Group over the previous year.
 - Agree criteria for consideration by the Task Group and make those criteria available to all Member of the Local Committee.
3. The Task Group will develop a draft programme to be recommended by the responsible officer to the Local Committee for approval.
4. Officers supporting the Task Group will consult the Group and will give due consideration to the group's reasoning and recommendations prior to the officer writing their report to the parent Local Committee.
5. The Task Group can, should it so wish, respond to an officer report and submit its own report to the Local Committee.
6. The Task Group terms of reference and membership is to be reviewed and agreed by the Local Committee annually.

