

SURREY COUNTY COUNCIL

LOCAL COMMITTEE IN SPELTHORNE

PUBLIC ENGAGEMENT PROTOCOL

This Local Protocol aims to facilitate greater public engagement in Committee proceedings by establishing terms more favourable to the public than those laid down in the Constitution of the Council.

The Protocol deals with 4 areas – petitions, public questions and public participation at meetings, consideration of Rights of Way and Byways Open to All Traffic applications and a guillotine to time limit meetings to three hours.

Petitions

At the start of any ordinary Local Committee Meeting, any member of the public who is an elector of Surrey County Council may present a petition, provided the petition:

- has a minimum of 10 signatures
- has been received by 12.00 noon, four clear working days before the Committee Meeting i.e. noon on Tuesday before the meeting due to be held the following Monday..
- relates to a matter that has a Spelthorne dimension and is within the terms of reference of the Local Committee

Other conditions relating to petitions are as laid down in the Constitution of the Council.

Public questions

At the start of any ordinary Local Committee Meeting, any member of the public who is an elector of Surrey County Council may ask a question relating to a matter within the Committee's terms of reference, provided the question:

- has been received in writing by 12.00 noon, four clear working days before the Committee Meeting
- relates to a matter that has a Spelthorne dimension and is within the terms of reference of the Local Committee

The written question and, where possible, a written answer will then be available at the meeting. If the person putting the question so wishes, they may put a brief supplementary question. If an answer to a question is not available at the Committee Meeting, or if a supplementary question cannot be answered at the Committee Meeting, a written answer will be sent as soon as possible and this answer will be attached to the minutes of the meeting.

Public Questions may be on matters on the Agenda for that meeting and may be on matters of detail and the Chairman may ask officers to respond to questions.

Other conditions relating to public questions are as laid down in the Constitution of the Council.

Public speaking at meetings

Legally, the public cannot be directly involved (speak at) a formal County Council Committee Meeting, other than putting a formal Public Question, presenting a petition or when formal provision is made at Planning and Regulatory Committee meetings. However, the Local Committee in Spelthorne wishes to provide opportunities, where appropriate, for the public to express their views.

At ordinary meetings of the Local Committee, officers from different County Council services present Performance Reports giving information on the service activity in Spelthorne. Once the officer has completed the initial presentation, and before the Committee Members commence their questioning and discussion, the Chairman may seek the Committee's consent to adjourn the meeting and offer to any member of the public present at the meeting the opportunity to comment on the subject of the Report. The maximum time allowed for this will be 3 minutes in total, to be shared between all those wishing to comment. The Chairman will exercise this discretion if time permits. Members of the public wishing to speak are encouraged to make this known to the Local Committee and Partnership Officer before the meeting commences to assist with the efficient organisation of this procedure.

Members of the public using such opportunities to speak should declare any personal or financial interest in the subject.

In addition, if the Chairman of the Local Committee is made aware that a member of the public wishes to speak in connection with a particular Local Transportation Report, the Chairman has discretion to ask the Committee's consent to adjourn the meeting and allow the member of the public to speak. The member of the public should declare any personal or financial interest in the subject and should speak for no more than 3 minutes. The Chairman will then reconvene the meeting and the public cannot participate in the Committee's discussions.

If more than 1 member of the public wishes to speak, the Chairman may ask all parties to share 3 minutes or may offer an extension of the time made available.

Factors affecting the exercising of the Chairman's discretion include

- Does the person wishing to speak represent a group or organisation, or are they speaking on their own behalf?
- The significance of the issue.
- The meeting timetable.

Legally, the Committee must not be unduly influenced by representations made in this way and must take into proper account information provided by the officers.

The public are not allowed to speak on items where the Committee is fulfilling part of the County Council's Planning Authority function or on decisions involving the allocation of Member's funds.

Rights of Way (ROW) including Byways Open to All Traffic (BOAT) applications

The arrangements for public speaking on ROW matters are set out in full in Standing Orders 67.1 – 67.10 and the following is intended to serve as a guide.

Any member of the public or their representatives may apply to speak either for or against a particular application. They must first register their wish to speak by telephone or in writing (which includes emails) to the Local Committee and Partnership Officer by 12 noon one working day before the Committee meeting.

Only those people who have previously made written representations in response to a ROW application (including an application relating to a BOAT) will be entitled to speak. Speakers must declare any financial or personal interest they may have in the application.

Registration of speakers will be on a first come, first served basis and taken in the order in which they are registered. The time allowed for public speaking, on each application, will be limited to 15 minutes for objectors and 15 minutes for supporters and to 3 minutes per speaker (i.e. a maximum of 5 each).

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. Speeches will precede the Committee's formal discussion on each application. The applicant is also entitled to speak after all the speakers but not to introduce anything new. The applicant is in addition to the objectors/supporters.

However, the robust process needed to manage this does not extend to the Informal Public Question time before the start of the formal Local Committee meeting, Petitions or Written Public Questions. This would be counter to the rules needing to ensure a fair and balanced consideration of the application in question.

Guillotine

Meetings will not normally be longer than three hours, for example meetings commencing at 7pm would be expected to end at 10pm unless the majority of those present approve a formally seconded proposal that the meeting should be extended to enable the completion of the business on the agenda, otherwise the business stands referred to the next formal meeting of the Local Committee.