



**OFFICER REPORT TO LOCAL COMMITTEE  
(Surrey Heath)**

**LOCAL PROTOCOL FOR PUBLIC ENGAGEMENT**

**9 July 2009**

**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**

This report proposes a protocol to deal with public questions, rights of way matters and petitions to the Local Committee in 2009-10.

**OFFICER RECOMMENDATIONS**

That the committee adopts the arrangements set out in this report:

- (i) that the committee will offer an opportunity for public engagement and informal questions for half an hour before each formal Local Committee meeting commences (subject to annual review);

    Petitions

- (ii) that 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 100 signatures, for example where a proposed scheme affects fewer than 100 properties;

    Public speaking on Rights of Way applications

- (iii) that the Committee notes the changes to the County Council's standing orders concerning public participation on Rights of Way applications, attached at Annex 1;

**Introduction and background**

- 1 In the County Council's Constitution, Standing Order 41 states that Local Committees may draft their own protocols for public engagement, to be reviewed annually. The Head of Democratic Services and Head of Legal Services are consulted on the draft before it can be adopted by the Local Committee.
- 2 This report reminds members of the local protocol that the Local Committee adopted in 2008/09, and proposes that similar arrangements are adopted for 2009/10, with the addition of new procedures with reference to Rights of Way (following changes to the County Council's standing orders agreed in April 2009).

**Written Public Questions**

- 3 Standing Orders 66.1 to 66.7 relate to public questions (annex 1).
- 4 Standing Order 66.2 states that the notice for public questions is 7 days.
- 5 Members of the public may ask one brief supplementary question provided it is relevant to the subject of the original. However, there is no obligation to reply at the meeting.
- 6 At present, an **informal** question time is held half an hour before the start of the formal Local Committee meeting. This enables members of the public who wish to ask one or more questions on matters of local interest without prior notice to raise such matters with their local county councillors in public. It is recommended that this question time be continued. Notes of questions and answers will be kept as part of the minutes of the Local Committee.

**Petitions**

- 7 Standing Orders 65.1 to 65.6 relate to petitions.
- 8 Standing Order 65.1 states that petitions presented require 100 signatures. The Local Committee may wish to have brought to its attention matters affecting relatively few households. In some circumstances it may be appropriate for the chairman to exercise their discretion to accept a petition carrying fewer signatures. Such circumstances would be those where it would not be appropriate to collect 100 signatures, for example if the issue related to a scheme where fewer than 100 houses would be affected.

**Conclusion**

- 9 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 is continued.

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BACKGROUND PAPERS:	Constitution of the Council

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Version No.1      Date: 01.07.08      Initials: JB      No of annexes: 1

**Annex 1****Public Questions – Extract from Standing Orders**

“66.1 At the start of any ordinary meeting of the Executive 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 Executive’s or Committee’s terms of reference. 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 e:mail 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 Executive or 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 appropriate Executive 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 Executive Member or Committee chairman, one supplementary question may be asked by the questioner. The Executive Member of 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 will be held over to the following meeting or dealt with in writing at the Chairman’s discretion.”

**Petitions – Extract from Standing Orders**

“65.1 At the start of any ordinary meeting of the Executive or a committee, any member of the public who is an elector of the Surrey County Council area may present a petition, containing 100 or more signatures, relating to a matter within the terms of reference of the Executive or the committee as appropriate. The presentation of a petition on the following business will not be allowed:

- (a) matters which are “confidential” or “exempt” under the Local Government Access to Information Act, 1985; and
- (b) planning applications.”

65.2 A spokesman for the petitioners may address the Executive or 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 they next appropriate meeting of the Executive or Committee at the discretion of the Chairman.”

“65.3 Notice must be given in writing to the Chief Executive at least 14 days before the meeting.”

“65.4 No more than 3 petitions may be presented at any one meeting of the Executive or a committee.”

“65.5 The Chief Executive may amalgamate within the first 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.”

**(RIGHTS OF WAY) Public Speaking at Meetings of the Planning and Regulatory Committee**

67.1 Members of the public and their representatives may address the Planning and Regulatory Committee on any planning applications and all applications relating to public rights of way being considered by that Committee. **This Standing Order (67.1) also applies to applications relating to public rights of way being considered by Local Committees.**

67.2 Speakers must first register their wish to speak by telephone or in writing to the Committee Manager by 12 noon one working day before a meeting stating on which item(s) they wish to speak.

67.3 Only those people who have previously made written representations in response to a planning application will be entitled to speak.

67.4 Speakers must declare any financial or personal interest they may have in the application.

67.5 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.

67.6 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.

67.7 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.

67.8 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.

67.9 Speeches will precede the Committee’s formal discussion on each application requiring the Committee’s attention.

67.10 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.