



OFFICER REPORT TO LOCAL COMMITTEE
(Surrey Heath)

**Local Committee Public Engagement Protocol, Surrey Heath
Parking Task Group and Member Representation on External
Bodies**

15 July 2010

KEY ISSUE

The County Council's standing orders outline the protocols for committees, but has agreed local committees make their own arrangements for handling matters related to public engagement, provided that these are set out in an approved protocol that acts as a local addition to standing orders.

Any task group set up by the local committee needs to have annually agreed terms of reference.

SUMMARY

This report sets out a local protocol to deal with public engagement with the local committee for the year 2010/2011, the terms of reference for the Surrey Heath Parking Task Group for agreement, and notes member representation on external groups.

OFFICER RECOMMENDATIONS

The Local Committee (Surrey Heath) is asked to agree

- (i) the arrangements set out in this report for handling questions from the public, petitions and rights of ways matters and, specifically:
 - a. 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);

Written Public Questions

- b. that the number of public questions which may be asked at any one meeting will usually be limited six, but the Chairman may use his discretion to take more.'

Petitions

- c. 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;

Rights of Way

- d. that the Committee notes the County Council's standing orders concerning public participation on Rights of Way applications, attached at Annex 1;

Surrey Heath Parking Task Group:

- (ii) the terms of reference for the Surrey Heath Parking Task Group, appoint Bill Chapman and Denis Fuller as the county council members to the group, and request that the borough council nominate two representatives.
- (iii) **To note the following Member representatives:**
 - 1. The Surrey Heath Partnership (combined Local Strategic Partnership and Community Safety Partnership) – Bill Chapman
 - 2. The Single Group for Young People – Denis Fuller

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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 2010/11, and proposes that similar arrangements are adopted for 2010/11 with the addition of the Chairman being able to use his discretion to accept more than six written public questions.
3. It is recommended that the Surrey Heath Parking Task Group continues to meet jointly with the borough council to progress enforcement of on-street parking restrictions. Any such group needs to be set up with terms of reference and agreed by the local committee annually.
4. The local committee has previously nominated a member to be the representative on the Surrey Heath Partnership and the Single Group for Young People. The representatives for these groups for 2010/11 are set out in recommendation iii.
5. To enable members to report progress on the activities in which they are involved on behalf of the local committee it is suggested that update reports are made when relevant.

Written public questions

6. Standing Orders 66.1 to 66.7 relate to public questions (annex 1). At County Council on 13 October 2009 it was agreed that local businesses could also ask a written question and this is reflected within Standing Order 66.1.
7. Standing Order 66.2 states that the notice for public questions is 7 days before the meeting.
8. Standing Order 66.6 states that the number of written public questions may not exceed six. It is recommended that the committee agree that the number of public questions which may be asked at any one meeting will usually be limited six, but the Chairman may use his discretion to take more.
9. 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.
10. 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 annexed to the minutes of the local committee.

Petitions

11. Standing Orders 65.1 to 65.6 relate to petitions. At County Council on 13 October 2009 it was agreed that local businesses could also present a petition and this is reflected within Standing Order 65.1.
12. 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.

Surrey Heath Parking Task Group

13. The Task Group shall exist to advise the local committee. It has no formal decision making powers. The Task Group will:
 - Meet in private
 - Record its actions
14. 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.
15. The Task Group can, should it so wish, respond to an officer report and submit its own report to the local committee.
16. The Task Group will contain four appointees, two county and two borough councillors. The Task Group may also consult with the relevant divisional member.
17. The Task Group will make recommendations on any issues with regard to waiting and loading restrictions to the local committee.
18. The Task Group will make recommendations to the local committee on the way forward on Controlled Parking Zones.

CONCLUSION AND RECOMMENDATIONS

19. 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, with the addition of the Chairman being able to use his discretion to accept more than six written questions.

20. Members are asked to agree the terms of reference of the Surrey Heath Parking Task Group and confirm the named county representatives.

REASONS FOR RECOMMENDATIONS

21. The local protocol makes the local committee proceedings more accessible and promotes engagement with the public.
22. The named representatives enable the local committee to be represented on relevant outside bodies, and the Surrey Heath Parking Task Group will report back to the local committee to take decisions as necessary.

WHAT HAPPENS NEXT

23. The local protocol will be implemented for the year 2010/11. The Surrey Heath Parking Task Group will be convened by the Parking Team, and the Local Partnerships Team will write to the Chairman of the Surrey Heath Partnership to confirm the name of the representative.

Version No:1

Date:

Initials: SG

No of annexes: 1

Annex 1

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 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 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.

Petitions – Extract from Standing Orders Part 4

Petitions

- 65.1 At the start of any ordinary meeting of the Cabinet, a Cabinet Member 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 Cabinet, the Cabinet Member or the committee as appropriate. In addition, a local business may present a petition to an ordinary meeting of a local committee. 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 Cabinet, Cabinet Member 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 the next appropriate meeting of the Cabinet, Cabinet Member 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 three petitions may be presented at any one meeting of the Cabinet, Cabinet Member or a 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.

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

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.

(Part 4, Standing Orders of the County Council).