



OFFICER REPORT TO LOCAL COMMITTEE (SURREY HEATH)

LOCAL COMMITTEE PUBLIC ENGAGEMENT PROTOCOL & TASK GROUP REPRESENTATION

5 JULY 2012

KEY ISSUE

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

SUMMARY

Local Committees are bound to comply with Standing Orders Sections 2 & 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.

This report sets out the local protocol for dealing with public engagement at the Local Committee for the year 2012/2013, and seeks to confirm Terms or Reference for the Committee's task groups and the membership.

OFFICER RECOMMENDATIONS

The Local Committee Surrey Heath is asked to:

- (i) confirm the provisions of the Local Protocol on Public Engagement as set out in Annex A;
- (ii) confirm the terms of reference for the Youth Task Group as set out in Annexe B;
- (iii) confirm the membership for the Task Group as set out in paragraph 1.9;
- (iv) appoint members of the Local Committee to the outside bodies as listed in the report (paragraph 1.10)

1. INTRODUCTION AND BACKGROUND

Local Protocol for Public Engagement

- 1.1 It is important that people who live and work in Surrey Heath 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 Democratic and Legal 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 the protocol following the completion of the Community Partnerships Team Public Value Review.

Task Groups

- 1.6 Each year the 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.
- 1.7 In 2011-12, the Committee set up the following task groups:
 - a) Surrey Heath Parking Task Group
 - b) Surrey Heath Youth Task Group
- 1.8 It is recommended that the Surrey Heath Parking Task Group be discontinued in the expectation that the appointed committee members, as set out in paragraph 1.10, will work with borough council colleagues as part of the Surrey Heath Strategic Parking Group in order to advise the Local Committee on matters relating to parking, waiting and loading restrictions, and controlled parking zones.

- 1.9 The recommendation is to re-establish the Surrey Heath Youth Task Group which will monitor and report back to the Local Committee on progress made against the Local Prevention Framework and Youth Small Grants. It is recommended that Lavinia Sealy and Denis Fuller are the County Council representatives on this Task Group

Membership onto Outside Bodies

- 1.10 The Local Committee can make appointments to various outside bodies. The Committee is asked to agree the following appointments:
- a) Surrey Heath Partnership – Bill Chapman
 - b) Surrey Heath Strategic Parking Group – Bill Chapman and Denis Fuller
 - c) Surrey Heath Youth Council Stakeholders Group – Denis Fuller
- 1.11 The Single Issues Group for Young People has been discontinued, and it is therefore recommended that the appointed committee member, as per paragraph 1.10, join the newly convened Surrey Heath Youth Council Stakeholders Group.

2 OPTIONS

- 2.1 The Committee can confirm the protocol as set out in Annex A, amend the protocol or not confirm a protocol for public engagement.
- 2.2 The Committee can confirm the task group (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.
- 2.3 The Committee can either appoint the appointments onto the outside bodies as set out within the report or amend the appointments.

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 actions to be undertaken within current resources.

5 EQUALITIES AND DIVERISTY IMPLICATIONS

- 5.1 The protocol 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 protocol being proposed to that agreed by the Committee in 2011. The protocol has been successful in attracting a high level of public interest and it is invited to endorse the protocol set out in Annex A.
- 7.2 There are no significant changes to the youth task group that was agreed by the Committee in 2011 as the task group ran successfully last year to support the Committee. It is proposed that the instead of setting up a separate Parking Task Group this year, Committee members will work with borough colleagues on the Surrey Heath Strategic Parking Group in order to advise the Local Committee.
- 7.3 Members have been consulted on who should be act to represent the Council on the outside bodies set out in Section 3 above.

8 REASONS FOR RECOMMENDATIONS

- 8.1 The local protocol enables the committee to engage residents in the decision making process of the local committee.
- 8.2 The task groups enable the local committee to carry out the work of the local committee.

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Background Papers: None

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Written public questions

Standing Orders 66.1 to 66.7 relate to public questions.

Standing Order 66.2 states that the notice for public questions is 7 days before the meeting.

Standing Order 66.6 states that the number of written public questions may not exceed six. The committee has agreed 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.

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.

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. This question time will be continued. Notes of questions and answers will be annexed to the minutes of the local committee.

Petitions

Standing Orders 65.1 to 65.6 relate to petitions.

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 his 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.

Standing Order 65.3 states that notice of petitions must be given in writing 14 days before the meeting. The committee have agreed that the notice period in Surrey Heath would be 7 days.

Extracts from Standing Orders Part 4 - for reference

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

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“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

- 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.

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- 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.

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

- 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

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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.

Annex B – Terms of Reference for the Surrey Heath Youth Task Group

Objective:

The Local Committee agreed 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.

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 members of the Surrey Heath Partnership and 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:

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.

2. The Task Groups 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.