



## **New Local Standing Orders**

### **Local Committee for Woking 14 October 2004**

#### **KEY ISSUE:**

The Council has agreed that Local Committees can make their own arrangements for handling issues such as questions and petitions 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 formalise the arrangements that the Local Committee has evolved for dealing with questions and petitions over the last two years.

## **OFFICER RECOMMENDATIONS:**

That the committee adopts the arrangements set out in this report for handling questions from the public and petitions and, specifically:

- (i) that formal public questions are accepted up to 12.00pm two working days before the day of the meeting
- (ii) that the Committee will accept up to six written public questions on the general agenda and up to six written public questions on the transportation agenda
- (iii) that the Committee will accept a petitions containing 50 or more signatures, although in exceptional circumstances the Chairman may use his discretion to accept petitions with fewer signatures in cases where it would not be appropriate to get 50 signatures, for example where a proposed scheme affects fewer than 50 properties.

## 1. Introduction and background

- 1.1 The Annual meeting of the Council considered and approved an amendment to the Council's standing orders as follows:
- 1.2 "That a new Standing Order be added to part 2 of Standing Orders as follows:

"Local Committees shall comply fully with these Standing Orders (parts 2 and 3) except where they draw up local protocols allowing them discretion to make minor variations to working practices which may only relate to arrangements for public engagement, including arrangements for the presentation of petitions, public question time etc. and monitoring service performance locally. Any local protocols shall be drawn up by the Local Director in consultation with the Head of Member Services, and approved by the Local Committee".

- 1.3 It is now necessary to set out formally in a protocol the arrangements for questions and petitions that the Committee would like to adopt for the future.

## 2. Public Questions

- 2.1 The current Standing Orders relating to public questions state:

*"63.1 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"*

*"63.2 Notice must be given in writing or by e:mail to the Chief Executive at least 7 days before the meeting"*

*"63.3 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."*

*"63.4 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."*

*"63.5 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.”*

*“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.”*

2.2 Standing Order 63.2 states that the notice for public questions is 7 days. Over the past two years the Local Committee for Woking has accepted public questions up to 12.00pm two working days before the Committee, and it is recommended that this is formalised.

2.3 Standing Order 63.5 states that the number of public questions may not exceed six. It is suggested that this is changed to reflect the current practice of allowing up to six public questions on the general agenda and up to six public questions on the transportation agenda.

### **3. Petitions**

3.1 The current Standing Orders relating to petitions state:

*“62.1 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.”*

*62.2 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 their next appropriate meeting of the Executive or Committee at the discretion of the Chairman.”*

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

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

*“62.5 The Chief Executive may amalgamate within the first petition, other petitions of like effect on the same subject.”*

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

- 3.2 Standing Order 62.1 states that petitions presented require 100 signatures. There are advantages in keeping a comparatively large number of signatures as defining attribute of a petition so that this procedure is used only for issues of substantial public concern but it is felt that a minimum of 50 signatures would suffice. In addition, however, it is suggested that, in exceptional circumstances, the Chairman may use his discretion to accept petitions with fewer signatures. Such circumstances would be those where it would not be appropriate to collect 50 signatures, for example if the issue related to a scheme where fewer than 50 houses would be affected.

#### **4. Reports to the Executive**

- 4.1 Finally, the Council's constitution was also amended to provide that the Executive will consider reports from Local Committees and will always formally respond to reports or recommendations made to it by any committee of the Council. This new provision is to encourage local committees to bring issues of concern and ideas for improvements to the Executive with the promise that such representations will be considered and responded to formally.

#### **5. Conclusions and reasons for recommendations**

- 5.1 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 changes to formalise the practices that have evolved over the last two years in Woking.

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BACKGROUND PAPERS: Minutes of the Annual Meeting of the Council;  
Constitution of the Council

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