



Standing Orders: Local Protocol

Local Committee (Woking) 15 June 2006

KEY ISSUE:

The County 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 deal with questions and petitions to the local committee.

OFFICER RECOMMENDATIONS:

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

Public Questions:

- (i) that in addition to the electorate, any young person under 18 who lives within the Woking Borough area is allowed to ask one question at the discretion of the Chairman, within the total allowable number which may be asked at the meeting
- (ii) that written public questions are accepted up to 12.00pm two working days before the day of the meeting
- (iii) that the committee will accept up to eight written public questions
- (iv) that members of the public may ask one brief supplementary question relevant to the subject of the original at the discretion of the chairman

Petitions

- (v) that the committee will accept a petition containing 50 or more signatures, although 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 50 signatures, for example where a proposed scheme affects fewer than 50 properties.
- (vi) that Members of the committee will be allowed, at the discretion of the chairman, to briefly clarify points with petitioners when petitions are presented. If the petition refers to an item on the agenda then Members discussion on the item needs to take place at the relevant part of the agenda.

1. Introduction and background

1.1 Standing Orders 40.1 and 40.2 state that

“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 Area Director in consultation with the Head of Member Services, and approved by the Local Committee”.

1.2 This report sets out the local protocol that the Local Committee (Woking) would like to adopt for 2006/07.

2. Public Questions

2.1 Standing Orders 65 to 65.5 relate to public questions (refer to annex 1).

2.2 Under current Standing Orders (Standing Order 65) any member of the public who is an elector of the area may ask one question relating to a matter within the Local Committee’s terms of reference. It is recommended that this is extended to also allow any young person under 18 who lives within the Woking Borough area to ask one question at the discretion of the Chairman, within the total allowable number which may be asked at the meeting.

2.3 Standing Order 65.1 states that the notice for public questions is 7 days. In October 2004 the Local Committee (Woking) agreed that questions can be received up to 12.00pm two working days before the Committee, and it is recommended that this is continued.

2.4 Standing Order 65.4 states that the number of public questions may not exceed six. Since October 2004, the Local Committee has been allowing up to six public questions on the general agenda and up to six public questions on the transportation agenda. As the general agenda and transportation agenda for the Local Committee have now been merged, it is recommended that the committee accept up to eight public questions and the chairman may use 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.

2.5 It is recommended that at the discretion of the chairman members of the public may ask one brief supplementary question relevant to the subject of the original.

3. Petitions

- 3.1 Standing Orders 64 to 64.5 relate to petitions (refer to annex 2).
- 3.2 Standing Order 64 states that petitions presented require 100 signatures. It was agreed in October 2004 that the Local Committee would accept a minimum of 50 signatures. However, in exceptional circumstances, the Chairman may use his/her 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. It is recommended that this is continued.
- 3.3 It is recommended that an additional local variation is added which allows Members of the Committee, at the discretion of the chairman, to briefly clarify points with petitioners when petitions are presented. If the petition refers to an item on the agenda then member's discussion on the item needs to take place at the relevant part of the agenda.

4. Conclusions and reasons for recommendations

- 4.1 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 the practices in Woking.

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Background Papers: Constitution of the Council

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Annex 1

Public Questions – Extract from Standing Orders

“65 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”

“65.1 Notice must be given in writing or by e:mail to the Chief Executive at least 7 days before the meeting”

“65.2 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.”

“65.3 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.”

“65.4 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.”

“65.5 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.”

Annex 2

Petitions - – Extract from Standing Orders

“64 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.”

64.1 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.”

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

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

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

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