

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE STANDARDS PANEL - 6 JUNE 2017

SUBMITTED TO THE COUNCIL MEETING – 18 JULY 2017

(To be read in conjunction with the Agenda for the Meeting)

Present

Cllr Michael Goodridge (Chairman)	Cllr David Else
Cllr Mike Band	Cllr Pat Frost
Cllr Kevin Deanus	Cllr David Hunter

Apologies

Cllr Carole Cockburn, Cllr Stephen Hill, Cllr John Williamson

1. APPOINTMENT OF CHAIRMAN (Agenda item 1.)

Councillor Michael Goodridge was confirmed as Chairman of the Standards Panel for the Council Year 2017/18

2. APOLOGIES FOR ABSENCE (Agenda item 2.)

Apologies for absence were received from Councillors John Williamson, Carole Cockburn and Stephen Hill.

3. DISCLOSURE OF INTERESTS (Agenda item 3.)

There were no disclosures of interest.

PART I – RECOMMENDATIONS TO THE COUNCIL

There are no matters for consideration in this section.

PART II - MATTERS OF REPORT

4. SCHEME OF DELEGATION REVIEW AND REVISIONS TO THE CONSTITUTION
(Agenda item 5.)

4.1 The Council, at its meeting on 25 April 2017, adopted a new Scheme of Delegation to Officers based on a new approach of operating as an 'exception' scheme, wherein all powers and functions are delegated down to officers with the exception of any powers and functions that either must remain with a specific Committee (or with the Council), or which the Council has previously decided must rest with members. This approach has been adopted by local authorities across the Country, and as a starting point, the Council used the scheme in operation at Surrey Heath Borough Council.

4.2 At the point of adopting the scheme, members were mindful that with such a significant change in approach and ways of working, the scheme would need to be kept under regular review and any proposed adjustments reported back to members at the appropriate time.

4.3 The Panel was informed of one particular anomaly regarding the making of a Neighbourhood Plan under delegated authority because the legislation relating to the Council's powers in relation to neighbourhood plans stems from the Localism Act rather, than the Town and Country Planning Acts to which the scheme specifically referred. For this reason, officers advised that it would be prudent, as part of this early review of the scheme of delegation, to include additional wording within the scheme to ensure that the Council's process was beyond any potential challenge on this point.

4.4 Alongside this proposal, a number of additional amendments were proposed. In particular, the opportunity was taken to ensure that the optimum balance was achieved between the delegation of specific powers and of general wide-ranging authority (whenever the stated exceptions do not apply). The aim in doing so was to provide a scheme which is transparent and which enables officers to achieve service outcomes more quickly and efficiently.

4.5 In December 2014, the Council agreed to the introduction of a scheme that allowed for substitute members to be appointed at meetings of the Joint Planning Committee with effect from January 2015. The resulting textual amendments required were not at that time incorporated into the constitution, and the Standards Panel reviewed the proposed wording to be included in the constitution going forward.

4.6 The Standards Panel considered the proposed revisions to the Scheme of Delegation and the Constitution and made the following comments.

4.7 Scheme of Delegation

The Panel reviewed and endorsed all the proposed changes to the Scheme of Delegation, as set out at Annexe 1.

The Panel also agreed that it should review the Scheme on a regular basis with the first review taking place in January 2018 and annually from then onwards.

4.8 Constitution

The Panel reviewed and endorsed the proposed changes to the Constitution (which replicated the changes agreed by Council in December 2014), set out at Annexe 2. The Panel also agreed to consider, at a future meeting:

- the deadlines for giving apologies for meetings and calling substitutes;
- the application of political proportionality rules for committee members and substitutes at quasi-judicial meetings; and
- formatting/numbering of substitution rules in the Constitution.

4.9 The Standards Panel considered and endorsed the recommendations in the report and agreed to advise the Executive and Council accordingly at the meetings which would be considering the documents later on 6 June 2017.

RESOLVED that

1. the Executive be advised that the Standards Panel endorsed the revised elements of the Scheme of Delegation and Constitution, as set out in Annexes 1 and 2; and
2. the issues identified above be added to the work programme and considered at a future meeting of the Standards Panel.

The meeting commenced at 10.00 am and concluded at 10.40 am

Chairman