

To: All Members of the Council

Fiona Cameron, Democratic Services Manager  
& Deputy Monitoring Officer

**Policy and Governance**

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Date: 5 July 2019

Dear Councillor

COUNCIL MEETING - TUESDAY, 16 JULY 2019

A MEETING of the WAVERLEY BOROUGH COUNCIL will be held in the COUNCIL CHAMBER, COUNCIL OFFICES, THE BURYS, GODALMING on **TUESDAY, 16 JULY 2019** at **7.00 pm** and you are hereby summoned to attend this meeting.

The Agenda for the Meeting is set out below.

Yours sincerely

ROBIN TAYLOR

Head of Policy and Governance

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## AGENDA

1. MINUTES (Pages 5 - 8)

To confirm the Minutes of the Council meeting held on 21 May 2019 (herewith).

2. APOLOGIES FOR ABSENCE

The Mayor to report apologies for absence.

3. DECLARATIONS OF INTEREST

To receive from Members, declarations of interest in relation to any items included on the agenda for this meeting in accordance with the Waverley Code of Local Government Conduct.

4. MAYOR'S ANNOUNCEMENTS

5. QUESTIONS FROM MEMBERS OF THE PUBLIC

To respond to questions from members of the public, received in accordance with Procedure Rule 10.

The deadline for receipt of questions is 5pm on Tuesday 9 July 2019.

6. QUESTIONS FROM MEMBERS OF THE COUNCIL

To respond to any questions received from Members of the Council in accordance with Procedure Rule 11.2.

The deadline for receipt of questions is 5pm on Tuesday 9 July 2019.

7. MOTIONS

To receive any motions submitted in accordance with Procedure Rule 12.1.

The deadline for receipt of motions was 5pm on Thursday 4 July 2019.

8. MINUTES OF THE EXECUTIVE

To receive the Minutes of the Executive meeting held on 9 July 2019 (**TO FOLLOW**), and to consider the recommendations set out within Part I.

9. MINUTES OF THE LICENSING AND REGULATORY COMMITTEE (Pages 9 - 12)

To receive the Minutes of the Licensing & Regulatory Committee meeting held on 17 June 2019 (attached – coloured bright green).

There are no matters in PART I for Council decision.

*Members of the Council wishing to speak on any Part II matters of report must give notice to the Democratic Services Team by midday on Tuesday 16 July 2019.*

10. MINUTES OF THE STANDARDS COMMITTEE (Pages 13 - 20)

To receive the Minutes of the Standards Committee meeting held on 1 July 2019 (attached – coloured cream), and to consider the recommendations set out within.

There are four PART I recommendations to Council:

STD 7/19 Constitution and Scheme of Delegation – Proposed Amendments

The Committee considered four proposed amendments to the Constitution and Scheme of Delegation, to:

- clarify the definition of the Principal Opposition Group within the Council.
- reinstate the opportunity for members of the public to ask informal questions before meetings of the Executive.
- amend the remits of the Environment and Community Wellbeing Overview and Scrutiny Committees, to align the committee remits more closely with Head of Service responsibilities.
- clarify the planning call-in arrangements within the Scheme of Delegation to the Head of Planning and Economic Development, in response to a report by the Local Government and Social Care Ombudsman.

**The Committee RECOMMENDS to Council that amendments to the Constitution and Scheme of Delegation are approved to effect the following:**

1. **Definition of the Principal Opposition Group, as set out on Annexe 1 to these Minutes;**
2. **Reinstatement of informal questions before meetings of the Executive, as set out on Annexe 1 to these Minutes;**
3. **Amendments to the remits of Environment and Community Wellbeing Overview and Scrutiny Committees as set out in Article 6 of the Constitution, to:**
  - move Licensing from Community Wellbeing Overview and Scrutiny Committee to Environment Overview and Scrutiny Committee; and
  - move Parks, Countryside and Open Spaces from Environment Overview and Scrutiny Committee to Community Wellbeing Overview and Scrutiny Committee.
4. **Clarification of councillor call-in arrangements within the Scheme of Delegation to the Head of Planning and Economic Development (as shown in *italics and underlined* below):**

**“(g) planning applications which, by the expiry of the 21 day consultation period, have received 5 or more letters of objection or 5 or more letters of support (but not a combination of both and not from the same individual or the same household) shall only be determined under delegated powers following written confirmation from the relevant ward member(s) to the Head of Planning and Economic Development (or their nominee) that they do not wish the matter to be determined by the relevant Planning Committee.”**

*There are no Part II matters of report.*

11. EXCLUSION OF PRESS AND PUBLIC

If necessary, to consider the following motion, to be moved by the Mayor:

That, pursuant to Procedure Rule 20 and in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of any matter on this agenda on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item(s), there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified in the appropriate paragraph(s) of the revised Part I of Schedule 12A of the Local Government Act 1972 (to be identified at the meeting).

# Agenda Item 1.

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MINUTES of the WAVERLEY  
BOROUGH COUNCIL held in  
the Council Chamber, Council  
Offices, The Burys, Godalming  
on 21 May 2019 at 7.00 pm

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\* Cllr Mary Foryszewski (Deputy Mayor)

- |                          |                           |
|--------------------------|---------------------------|
| Cllr Brian Adams         | * Cllr Peter Isherwood    |
| * Cllr Christine Baker   | * Cllr Jacquie Keen       |
| * Cllr David Beaman      | Cllr Robert Knowles       |
| * Cllr Roger Blishen     | * Cllr Anna James         |
| * Cllr Peter Clark       | * Cllr Jack Lee           |
| * Cllr Carole Cockburn   | * Cllr Andy MacLeod       |
| * Cllr Richard Cole      | * Cllr Penny Marriott     |
| * Cllr Steve Cosser      | * Cllr Peter Marriott     |
| Cllr Martin D'Arcy       | * Cllr Michaela Martin    |
| * Cllr Jerome Davidson   | * Cllr Peter Martin       |
| * Cllr Kevin Deanus      | * Cllr Mark Merryweather  |
| * Cllr Simon Dear        | Cllr Kika Mirylees        |
| * Cllr Sally Dickson     | * Cllr Stephen Mulliner   |
| * Cllr Brian Edmonds     | * Cllr John Neale         |
| * Cllr Patricia Ellis    | Cllr Peter Nicholson      |
| * Cllr David Else        | * Cllr Nick Palmer        |
| * Cllr Jenny Else        | * Cllr Julia Potts        |
| Cllr Jan Floyd-Douglass  | * Cllr Ruth Reed          |
| * Cllr Paul Follows      | * Cllr Paul Rivers        |
| * Cllr Michael Goodridge | * Cllr Penny Rivers       |
| Cllr John Gray           | * Cllr John Robini        |
| * Cllr Michaela Gray     | * Cllr Anne-Marie Rosoman |
| * Cllr Joan Heagin       | * Cllr Trevor Sadler      |
| * Cllr Val Henry         | * Cllr Richard Seaborne   |
| * Cllr George Hesse      | * Cllr Liz Townsend       |
| * Cllr Chris Howard      | * Cllr John Ward          |
| * Cllr Daniel Hunt       | * Cllr Steve Williams     |
| * Cllr Jerry Hyman       | * Cllr George Wilson      |

\*Present

## Apologies

Cllr Brian Adams, Cllr Martin D'Arcy, Cllr Jan Floyd-Douglass, Cllr John Gray,  
Cllr Robert Knowles, Cllr Kika Mirylees and Cllr Peter Nicholson

Prior to the commencement of the meeting, prayers were led by the Reverend  
David Uffindell.

CNL1/19 ELECTION OF MAYOR (Agenda item 1.)

The Retiring Mayor, Denise Le Gal, welcomed new Councillors and guest to the Annual Meeting of Council, and invited nominations for the election of Mayor for the Council year 2019/20.

Cllr Carole Cockburn proposed that Cllr Mary Foryszewski be elected for the ensuing year, and this was seconded by Cllr Paul Follows.

There being no other nominations, it was RESOLVED that Cllr Mary Foryszewski be elected Mayor for the Council year 2019/20.

CNL2/19 DECLARATION OF ACCEPTANCE OF OFFICE BY THE MAYOR (Agenda item 2.)

Having been invested with the Mayoral Robes and Chain of Office, Cllr Mary Foryszewski made the Statutory Declaration of Acceptance of Office and took the chair for the remainder of the Council meeting.

The Mayor thanked Cllr Cockburn and Cllr Follows for their kind words of support, and the retiring Mayor for her service to the Council during her Mayoral year. The Mayor expressed her gratitude to all councillors for their vote of confidence in her to be an ambassador for Waverley Borough Council and to chair Council meetings fairly over the coming year.

CNL3/19 ELECTION OF DEPUTY MAYOR (Agenda item 4.)

The Mayor invited nominations for the election of Deputy Mayor for the Council year 2019/20.

Cllr John Ward proposed Cllr Penny Marriott as Deputy Mayor, and this proposal was seconded by Cllr Andy MacLeod.

There being no other nominations, it was RESOLVED that Cllr Penny Marriott be elected Deputy Mayor for the Council year 2019/20.

The Mayor invested the new Deputy Mayor with the Badge of Office, and presented the Mayor's Consort, the Deputy Mayor's Consort, the Past Mayor, and Past Mayor's Consort with the appropriate Badges of Office.

CNL4/19 DECLARATION OF ACCEPTANCE OF OFFICE BY THE DEPUTY MAYOR (Agenda item 5.)

Cllr Penny Marriott made the Statutory Declaration of Acceptance of Office and thanked Councillors for electing her as Deputy Mayor.

CNL5/19 VOTE OF THANKS TO THE RETIRING MAYOR (Agenda item 6.)

Cllr Julia Potts proposed a vote of thanks to the retiring Mayor, Denise Le Gal, which was seconded by Cllr Peter Martin.

Ms Le Gal responded by thanking Cllr Potts and Cllr Martin for their kind words. She had had a wonderful year as Mayor, attending many memorable events. Her undoubted highlights were the unveiling of the memorial stone on Milford Common

to commemorate the Canadian soldiers who had been based there during World War I and World War II; the visit of the Landrat from Mayern-Koblenz; and a Christmas carol service at which Broadwater School choir gave a marvellous performance of 'O Holy Night' which she would remember forever.

Ms Le Gal thanked her Consort, Polly Russell-Stracey for her support over the last year; Alison Burrows, the Mayor's PA; and Tom Horwood, the Chief Executive, for their advice and assistance.

Finally, she thanked the Members of the Council who had allowed her the privilege of serving as their Mayor for the past year.

CNL6/19 MINUTES (Agenda item 7.)

The Minutes of the Meeting of the Council held on 19 March 2019 were confirmed and signed.

CNL7/19 MAYOR'S ANNOUNCEMENTS (Agenda item 8.)

The Mayor advised Councillors that she had chosen two causes as the focus of her Mayoral year.

The first was raising awareness of the issue of suicide in men, especially young men; and encouraging more open conversations with men about depression and mental ill-health.

Her second focus was related, and perhaps more obvious for those that knew her well: she was passionate about animal welfare and was looking for a local charity that combined her interests in animal welfare and therapeutic benefits of animals on mental health.

She would have more details about both in the coming weeks, along with the date for the Civic Service.

Finally, the Mayor thanked all the recently retired and outgoing councillors for their hard work and companionship in recent years, and welcomed the new Members to their new role in the Council.

CNL8/19 ELECTION OF THE LEADER OF THE COUNCIL (Agenda item 9.)

The Mayor called for nominations for Leader of the Council for the period 2019 – 2023.

It was proposed by Cllr David Beaman, and seconded by Cllr Paul Follows, that Cllr John Ward be elected as Leader of the Council for the period 2019 – 2023.

There were no other nominations, and it was RESOLVED that Cllr John Ward be elected as Leader of the Council, 2019 – 2023.

The Mayor invited Cllr Ward to make a statement.

Cllr Ward congratulated the Mayor on her election. She was known for her fairness, openness, reasonableness and determination and he was delighted that she would be Mayor in what was likely to be a challenging year.

Cllr Ward thanked Members for his election, and undertook to do his very best to justify the faith that the Council had shown in him. There had been a seismic shift in voting patterns at the recent elections and all parties, officers, and the public were negotiating new political waters. The Farnham Residents and Liberal Democrats had come together to form an administration. They would be making some changes but these would be measured and not rushed. There was a strong will to remodel how the Council worked to bring about a more collaborative form of government, moving towards a more committee-oriented structure.

As a first step on that path, places on the Executive had been offered to the other parties, intending to make an assembly of all the talents. The Leader thanked the Conservative administration for the professional, friendly and constructive way in which they had participated in the handover to the new leadership team.

The Leader announced that he was making eight appointments to the Executive: the Deputy Leader would be Cllr Paul Follows from the Liberal Democrats. From the Farnham Residents he was appointing Cllrs Andy MacLeod, David Beaman, and John Neale, who brought experience in company management, transport planning and IT, as well as working with the disabled and less fortunate. He would confirm details of portfolio holder responsibilities in due course.

Cllr Paul Follows, Deputy Leader, confirmed the appointment to the Executive of Cllr Mark Merryweather and Cllr Anne-Marie Rosoman, from the Liberal Democrats; and Cllr Steve Williams, Green Group, and Cllr Nick Palmer, Labour Group.

CNL9/19 PROPORTIONALITY OF COMMITTEES AND ALLOCATION OF SEATS (Agenda item 10.)

The Mayor advised Councillors that the report showing the political proportionality of the new Council had been tabled, along with a schedule showing the Group Leaders' nominations for appointments to committees.

There was one change in the nominations to be included, with Cllr Jenny Else replacing Cllr Kevin Deanus on the Environment Overview & Scrutiny Committee.

It was moved by the Mayor, seconded and duly RESOLVED to:

1. Note the proportional allocation of seats on the Council's committees; and
2. Agree the nominations to Council Committee memberships and to the Appeals Panel and Surrey County Council Local Committee.

The meeting concluded at 8.20 pm

Mayor



WAVERLEY BOROUGH COUNCIL

MINUTES OF THE LICENSING AND REGULATORY COMMITTEE - 17 JUNE 2019

SUBMITTED TO THE COUNCIL MEETING – 16 JULY 2019

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

**Present**

Cllr Robert Knowles (Chairman)	Cllr Michael Goodridge
Cllr Peter Clark (Vice Chairman)	Cllr Anna James
Cllr Roger Blishen	Cllr Jacquie Keen
Cllr Martin D'Arcy	Cllr Jack Lee
Cllr Jerome Davidson	Cllr Michaela Martin
Cllr Patricia Ellis	Cllr Ruth Reed

**Also Present**

Councillor Jenny Else

LIC1/19    APPOINTMENT OF CHAIRMAN (Agenda item 1.)

The Committee **AGREED** the appointment of Cllr Robert Knowles as Chairman of the Licensing and Regulatory Committee for the Council year 2019/20.

LIC2/19    APPOINTMENT OF VICE-CHAIRMAN (Agenda item 2.)

The Committee **AGREED** the appointment of Cllr Peter Clark as Vice-Chairman of the Licensing and Regulatory Committee for the Council year 2019/20.

LIC3/19    MINUTES (Agenda item 3.)

The minutes of the meeting held on 25 February 2019 were **APPROVED** and signed by the Chairman.

LIC4/19    APOLOGIES FOR ABSENCE AND SUBSTITUTIONS (Agenda item 4.)

No apologies for absence were received and no substitutions made.

LIC5/19    DECLARATIONS OF INTEREST (Agenda item 5.)

No declarations of interest were received in relation to any item on the agenda for this meeting.

LIC6/19    QUESTIONS FROM MEMBERS OF THE PUBLIC (Agenda item 6.)

There were no questions from members of the public.

LIC7/19    QUESTIONS FROM MEMBERS (Agenda item 7.)

There were no questions from members of the public.

## **PART I - RECOMMENDATIONS TO THE COUNCIL**

There were no matters falling within this category.

## **PART II - MATTERS OF REPORT**

### LIC8/19 APPOINTMENT OF COUNCILLORS TO SUB COMMITTEES (Agenda item 8.)

The Committee agreed the Membership of the sub-committees as follows:

a) Licensing (General Purposes) Sub-Committee (5 Members)

Cllr Robert Knowles (Chairman)  
Cllr Peter Clark (Vice-Chairman)  
Cllrs Ruth Reed, Jack Lee and Martin D'Arcy

Substitutes: Cllrs Michael Goodridge, Michaela Martin, Jerome Davidson

b) Licensing Sub-Committees A, B & C (3 Members on each)

A: Cllrs Patricia Ellis, Jack Lee and Jerome Davidson  
B: Cllrs Michael Goodridge, Jacquie Keen and Roger Blishen  
C: Cllrs Robert Knowles, Ruth Reed and Peter Clark

*Post meeting note: The following changes were made post meeting. Cllr Anna James will replace Cllr Jack Lee on Sub-Committee A and Cllr Michaela Martin will replace Cllr Ruth Reed on Sub-Committee C.*

### LIC9/19 MINUTES OF THE LICENSING ACT 2003 SUB COMMITTEE B HELD ON MONDAY 20TH MAY 2019 (Agenda item 9.)

The minutes of the Licensing Act 2003 Sub-Committee B which took place on 20 May 2019 were confirmed and signed.

### LIC10/19 UPDATE ON RECENT COURT CASES (Agenda item 10.)

The Committee received an update on the outcome of recent court cases.

- a) Refusal of application for a Private Hire Licence: This was upheld in the court.
- b) Hackney Carriage Driver whose license was revoked: This was upheld at Magistrates Court. The driver took it to County Court but then retracted his appeal claim so it was not heard.

### LIC11/19 FORWARD PROGRAMME (Agenda item 11.)

The Committee noted the items that were programmed to come to forthcoming meetings.

LIC12/19 EXCLUSION OF PRESS AND PUBLIC (Agenda item 12.)

There were no items to be considered by the Licensing & Regulatory Committee in Exempt Session.

LIC13/19 LEGAL ADVICE (Agenda item 13.)

No advice required.

**The meeting commenced at 10.02 am and concluded at 10.10 am**

**Chairman**

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WAVERLEY BOROUGH COUNCIL

MINUTES OF THE STANDARDS COMMITTEE - 1 JULY 2019

SUBMITTED TO THE COUNCIL MEETING – 16 JULY 2019

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

**Present**

Cllr John Robini (Chairman)	Cllr John Gray
Cllr Michael Goodridge (Vice Chairman)	Cllr Jerry Hyman
Cllr Brian Adams	Cllr Robert Knowles
Cllr Paul Follows	

**Apologies**

Cllr Penny Marriott and Cllr Peter Marriott

STD 1/19 APPOINTMENT OF CHAIRMAN (Agenda item 1.)

After being nominated by Cllr Paul Follows, and seconded by Cllr Michael Goodridge, it was RESOLVED that Cllr John Robini be appointed as Chairman of the Committee for the Council year 2019/20.

STD 2/19 APPOINTMENT OF VICE-CHAIRMAN (Agenda item 2.)

After being nominated by Cllr Robert Knowles, and seconded by Cllr John Gray, it was RESOLVED that Cllr Michael Goodridge be appointed as Vice-Chairman of the Committee for the Council year 2019/20.

STD 3/19 MINUTES (Agenda item 3.)

The Minutes of the meeting held on 12 March 2019 were agreed as a correct record of the meeting.

STD 4/19 DISCLOSURES OF INTERESTS (Agenda item 5.)

There were no disclosures of interests in relation to items on the agenda.

STD 5/19 QUESTIONS BY MEMBERS OF THE PUBLIC (Agenda item 6.)

There were no questions from members of the public.

STD 6/19 QUESTIONS FROM MEMBERS OF THE COUNCIL (Agenda item 7.)

There were no questions from Members.

**PART I - RECOMMENDATIONS TO THE COUNCIL**

Background Papers

Unless specified under an individual item, there are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to the reports in Part I of these minutes.

STD 7/19 CONSTITUTION AND SCHEME OF DELEGATION - PROPOSED AMENDMENTS  
(Agenda item 8.) (Pages 5 - 8)

- 7.1 Robin Taylor, Head of Policy & Governance, introduced the report setting out proposed changes to the Constitution and Scheme of Delegation. The Leader and Executive had made a commitment to developing a more collaborative form of governance at Waverley, and increasing the level of engagement with residents. Whilst a governance review of the Council's decision-making and procedure arrangements had been initiated, a number of specific issues had arisen that it was preferable to address immediately.
- 7.2 With regards to the definition of the Principal Opposition Group which was proposed to be added to the Constitution, Cllr Goodridge advised that he had worked with Robin Taylor to draft the wording set out on Annexe 1 to the report. The Committee agreed that the wording provided helpful clarification of political positions and roles within the Council, and agreed to recommend the necessary amendments to the Constitution to Council for approval.
- 7.3 Cllr Knowles queried the reasoning for the proposed amendment to the Overview & Scrutiny committee remits. Robin Taylor advised that this was to align the committee remits better with the responsibilities of Heads of Service. The Committee had no particular view on the proposed change, and were content to put the recommendation to Council.
- 7.4 As a demonstration of the new Executive's intent to engage with residents, they had asked officers to draw up amendments to the Constitution to reinstate informal questions before meetings of the Executive. The proposed amendments to Council Procedure Rule 10 and Executive Procedure Rule 2.9 were set out on Annexe 1. The Committee had no objection to the proposed amendments, which they noted would not extend to any committees other than the Executive without further amendments to the Constitution.
- 7.5 The Committee discussed its role in the Governance Review. Cllr Follows explained that this would be undertaken by a cross-party working group of Members, supported by officers. Any proposals to make changes to the Constitution would be submitted to the Standards Committee for consideration. The Committee agreed that it would be practical for recommendations on changes to the governance arrangements of the Council to be submitted to Full Council via the Executive in the first place. If the recommendations on the principles were agreed, then the Standards Committee's role would be to oversee the process of translating these in the Constitution. Since Cllr Follows would be leading the Governance Review, he would be able to update the Committee on progress of the review.
- 7.6 With regard to the proposed change to the arrangements for Members to call-in a planning application to a Planning Committee, the Committee noted that the proposed amendment addressed the ambiguity raised by the Local Government and Social Care Ombudsman, and brought the Scheme of Delegation into line with working practice. The Committee had no objection to

the proposed amendment, and were content to put the recommendation to Council.

- 7.7 The Committee discussed a point raised by Cllr Adams in relation to the complaint that had been investigated by the Ombudsman, and the way in which the planning enforcement matter had been resolved without reference to the ward councillor. It was noted that the retrospective planning application would have been on the weekly list, so the ward councillor would have had an opportunity to call it in to committee. The Committee noted that the Ombudsman had found no fault with the approach the Council had taken in considering the merits of the planning application submitted to address the enforcement matter; and, it was not practical to have exceptions to the Scheme of Delegation to cover every possible eventuality.

(Cllr Hyman arrived at this point in the Committee proceedings).

- 7.8 The Committee had no further comments, and **RESOLVED to endorse the proposed amendments to the Constitution and Scheme of Delegation to Council for approval, to effect the following:**

1. **Definition of the Principal Opposition Group, as set out on Annexe 1 to these Minutes;**
2. **Reinstatement of informal questions before meetings of the Executive, as set out on Annexe 1 to these Minutes;**
3. **Amendments to the remits of Environment and Community Wellbeing Overview and Scrutiny Committees as set out in Article 6 of the Constitution, to:**
  - **move Licensing from Community Wellbeing Overview and Scrutiny Committee to Environment Overview and Scrutiny Committee; and**
  - **move Parks, Countryside and Open Spaces from Environment Overview and Scrutiny Committee to Community Wellbeing Overview and Scrutiny Committee.**
4. **Clarification of councillor call-in arrangements within the Scheme of Delegation to the Head of Planning and Economic Development (as shown in *italics and underlined* below):**

**“(g) planning applications which, by the expiry of the 21 day consultation period, have received 5 or more letters of objection or 5 or more letters of support (but not a combination of both and not from the same individual or the same household) shall only be determined under delegated powers following written confirmation from the relevant ward member(s) to the Head of Planning and Economic Development (or their nominee) that they do not wish the matter to be determined by the relevant Planning Committee.”**

**PART II - MATTERS OF REPORT**

There were no matters of report.

**The meeting commenced at 5.00 pm and concluded at 5.25 pm**

**Chairman**



## Definition of Principal Opposition Group

### Constitution, Part 1 (Summary and Explanation)

#### **4.0 How decisions are made**

- The largest political group, or a combination of groups, shall form the administration of the Council (the Executive).
- The largest political group not represented on the Executive shall be the Principal Opposition Group.
- The Executive is the part of the Council which is responsible for delegated decisions.
- The Executive is made up of the Leader and up to nine councillors appointed by the Leader (including the Deputy Leader) with the Executive's responsibilities divided into areas of responsibility (portfolios), each member leading on a specific group of policy issues.
- When major decisions are to be discussed or made, these are published in the Executive's Forward Programme of Key Decisions in so far as they can be anticipated.
- If these major decisions are to be discussed with council officers at a meeting of the Executive, this will generally be open to councillors and the public to attend except where personal or confidential matters are being discussed.
- The Executive has to make decisions which are in line with the Council's overall policies and budget. If it wishes to make a decision which is outside the budget or policy framework, this must be referred to the Council as a whole to decide.

#### **5.0 Overview and Scrutiny Committees**

- 5.3 ~~In the event of a single party Executive, the Chairmen of the four Overview and Scrutiny Committees shall be elected from nominations put forward by the largest minority political group on the Council (this can include non-members of the largest minority group or members of the majority group).~~ The Chairmen of the four Overview and Scrutiny Committees shall be elected from nominations put forward by the Principal Opposition Group of the Council (this can include non-members of the Principal Opposition Group or members of the administration group(s)) subject to the total number of Opposition members on the Council exceeding 10% of the overall membership (in the current composition of the Council, this would equate to 6 members). The Vice-Chairman of each Overview and Scrutiny Committee

shall usually not be from the same political group as the Chairman. Without consent of the Council, no member can be Chairman or Vice-Chairman of more than one Overview and Scrutiny Committee.

**NB. Amended Paragraph 5.3 to replace the equivalent wording in paragraph 1 of the Overview and Scrutiny Procedure Rules in Part 4 of the Constitution.**

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## Reinstatement of Informal Questions

### Council Procedure Rules

#### 10. QUESTIONS BY THE PUBLIC

##### 10.1 General

Members of the public who have a legitimate interest in the Borough, by way of work or residency, may ask a question at ordinary meetings of the Council, Executive and Committees. Questions by the public will not be included as an agenda item on agendas for Special or Extraordinary meetings. The rules for asking a written question are set out in Procedure Rules 10.2-10.7 below.

#### Written questions

##### 10.2 Notice of written questions

A written question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Head of Policy and Governance no later than close of business (5.00pm), 4 clear working days before the day of the meeting. Each question must give the name and address of the questioner.

##### 10.3 Order of questions

Questions will be asked in the order notice of them was received, except that the Mayor or Chairman may group together similar questions.

##### 10.4 Number of questions

At any one meeting no person may submit more than 1 written question and no more than 1 such question may be asked on behalf of one organisation.

##### 10.5 Scope of questions

The Chief Executive may reject a question if it:

- is not a matter in relation to which the Council has powers or duties or which affects the Borough;
- is defamatory, frivolous or offensive;
- is substantially the same as a question which has been put at a meeting of the Council in the past six months;

- requires the disclosure of confidential or exempt information;
- is not substantially in the form of a question, or the length of the preamble is disproportionate to the question.

#### 10.6 Record of **written** questions

The Chief Executive will immediately send a copy of the question to the Chairman of the Executive and relevant Portfolio Holder. Where the Chief Executive recommends that the question be rejected, reasons for rejection will be stated.

Copies of all questions will be circulated and made available to councillors and the public attending the meeting. All **written** questions submitted will receive a prepared answer.

#### 10.7 Reference of question to the Executive

Unless the Mayor decides otherwise, no discussion will take place on any question, but any member may move that a matter raised by a question be referred to the Executive or the appropriate named Committee or Sub-Committee. Once seconded, such a motion will be voted on without discussion.

#### Informal questions at the Executive

10.8 Members of the public may ask informal questions of the Executive before the start of each ordinary meeting of the Executive, in accordance with the arrangements at Executive Procedure Rule 2.9

#### Petitions

#### 10.9 Presentation of petitions

Members of the public can submit petitions electronically through the Waverley website or in hard copy addressed to the Chief Executive. The petition will be dealt with in accordance with the Waverley Petition Scheme.

### Executive Procedure Rules

#### 2.9 Questions by the Public

##### Written questions

2.9.1 Members of the public may ask **written** questions at ordinary meetings of the Executive in accordance with the provisions in **Council** Procedure Rules **10.2 – 10.7**. The Leader and/or the Deputy Leader or appropriate Portfolio Holder should be invited to respond to the question.

## Informal questions

2.9.2 Informal questions may be asked of the Leader, Deputy Leader or an appropriate Portfolio Holder before the start of each ordinary meeting of the Executive for up to 15 minutes, including replies. No prior notice needs to be given. Questions will be taken in the order in which questioners register with the Democratic Services Officer prior to the start of question time. When read out, each question must be concluded within 2 minutes. In the event that it is not possible to give a verbal response, a written response will be provided following the meeting.