

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE STANDARDS COMMITTEE - 21 MAY 2020

SUBMITTED TO THE COUNCIL MEETING – 9 JUNE 2020

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

Present

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

Co-opted Members

Cllr Tom Hughes, Bramley Parish Council
Cllr Stefan Reynolds, Elstead Parish Council

Also Present

Councillor John Ward

STD 20/19 WELCOME, INTRODUCTIONS AND PROCEDURAL MATTERS

The Chairman welcomed Members and Officers to the first virtual meeting of the Standards Committee, which was being held under the provisions of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

The Chairman welcomed Cllr Tom Hughes (Bramley Parish Council) and Cllr Stefan Reynolds (Elstead Parish Council) as co-opted Members of the Committee. They were attending for Item 6, the Code of Conduct, and would attend in future for all matters in relation to Ethical Standards. Waverley's Monitoring Officer was also Monitoring Officer for the Town and Parish Councils in Waverley, and the Town and Parish Councils' own councillors' code of conduct mirrored Waverley's.

The Chairman confirmed the procedures to be used for the virtual meeting, and that if the webcast stream failed the meeting would adjourn to allow the connection to be re-set.

STD 21/19 MINUTES (Agenda item 1.)

The Minutes of the meeting held on 13 January 2020 were confirmed. These would be signed at a later date.

STD 22/19 DISCLOSURES OF INTERESTS (Agenda item 3.)

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

STD 23/19 QUESTIONS BY MEMBERS OF THE PUBLIC (Agenda item 4.)

There were no questions.

STD 24/19 QUESTIONS FROM MEMBERS OF THE COUNCIL (Agenda item 5.)

There were no questions.

PART I - RECOMMENDATIONS TO COUNCIL

STD 25/19 WAVERLEY MEMBERS' CODE OF CONDUCT - PROPOSED REVISION (Agenda item 6.)

The Committee received a report proposing minor revisions to the Waverley Member's Code of Conduct to update the descriptions of the seven Nolan Principles to those now being used by the Committee on Standards in Public Life (CSPL). This would avoid there being any confusion about the expected standards in public life due to inconsistencies between versions.

Cllr Hyman was pleased to see the revisions being brought forward, but noted that the Standards Committee was still waiting for a report on proposals to address the best practice guidance set out in the CSPL's review of standards arrangements. He also asked what arrangements were in place to ensure that Members followed the Nolan Principles.

The Committee noted that the Local Government Association's work on the draft of the new Model Code of Conduct, responding to the CSPL recommendation, had been delayed due to their work supporting local authorities on the Covid-19 pandemic response. The draft would be brought to the Standards Committee for consideration when it was released.

The Committee, including the co-opted Members, felt the revisions were brief and concise and noted that these would be sent to Parishes following their adoption by the Council to consider.

The Standards Committee, accordingly RESOLVED to recommend to Council that the revised Waverley Member's Code of Conduct be adopted.

STD 26/19 REMOTE MEETINGS PROTOCOL AND PROCEDURE RULES (Agenda item 7.)

Robin Taylor, Monitoring Officer, introduced the report setting out Procedure Rules that would apply to virtual meetings. The current Covid-19 pandemic and related Government restrictions had impacted on local authorities' decision making processes and the ability for meetings of the full Council, its Committees and Executive to be held. The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings (England and Wales) Regulations 2020 (the Regulations) came into effect in early April 2020 and allowed local authorities to hold virtual meetings with remote attendance by Members.

The Regulations waived the requirement for local authorities to hold an Annual Meeting in 2020, and specified the requirements for a Member to be considered to be in 'remote attendance' at a meeting. Whilst the Regulations provided the legal framework for remote meetings, it was considered good practice to set out how these would be applied locally.

Members agreed that the adoption of the Remote meetings Protocol and Procedural Rules would provide clarity to Councillors and members of the public. To avoid any confusion, the Committee asked that in VMPR1, the reference to the Chairman be changed to the 'Mayor'. The Committee also asked that the document have version control added, and that it should be easily accessible on the Council's website.

The Committee asked how remote attendance by members of the public would work, and that public questions would still be possible. Officers confirmed that questions would still be accepted, although the arrangements were still being finalised. The requirements for remote attendance by the public were set out in VMPR 5. In drawing up the practical arrangements, Officers aimed to keep these as consistent and close to those that applied to physical meetings in the Council Chamber.

Officers confirmed that there was no intention to resume holding meetings in the Council Chamber until appropriate measures could be put in place to ensure, as far as possible, the health and safety of Members, Officers and members of the public attending.

The Standards Committee agreed that the Virtual Meeting Procedure Rules were a practical response to the Regulations to enable the Council's committee meetings to resume with Members, Officers and the public participating remotely.

Subject to the minor revision to VMPR1, the Standards Committee endorsed the Virtual Meeting Procedure Rules to Council for approval.

STD 27/19 NEW PLANNING COMMITTEES TEMPORARY ARRANGEMENTS FOR 2020/21
(Agenda item 8.)

The Committee received a report setting out the proposals for the establishment (on a temporary basis) of two new planning committees (Western and Eastern). These would temporarily replace the Council's five existing planning committees in order to streamline planning committee decision-making arrangements whilst resources were stretched due to the impact of the Covid-19 pandemic. It was proposed that the arrangements would continue until 7 May 2021, or until Council decided to revert to the current arrangements, whichever was sooner.

Cllr John Ward had registered to speak and commended the proposed arrangements. These recognised the importance of planning to Members and the public, and the imperative from the government to keep planning running during these unprecedented times. The arrangements had been developed in consultation with all Group Leaders and independent members, and had been agreed in principle. Cllr Ward noted that the arrangements did not include a proposal to exclude ward members from voting on applications within their own

ward. This had been discussed previously and would remove the possibility of a ward member having predetermined an application and would allow them to openly advocate for their ward residents.

The Committee discussed the role of ward members on the committees but felt that when discussed previously there had not been a consensus on whether to adopt this. Overall, it was felt that that should be addressed at another time, as the issues were not directly related to the current situation.

The Committee noted that there was now a backlog of planning applications to be considered, particularly for Western Area, and noted that initially the new committees would meet on an alternate weekly basis until the backlog had been addressed. In order to keep meeting agendas manageable, the number of planning applications on each would be limited to 3 – 4, and committee members would be strongly encouraged to follow up with the appropriate planning officers on any technical matters in advance of the meeting.

The Committee discussed when the arrangements should be reviewed, and agreed that Council should have the opportunity to decide in December 2020 whether to revert to the normal arrangements from January 2021. In addition, the Committee agreed that it should have an opportunity to review the agreed arrangements at its September meeting to consider whether any refinement was needed.

The Committee agreed that Recommendation 4 should include consultation with the Ward Member(s) as well as the relevant Planning Committee Chairman and Vice-Chairman.

The Standards Committee accordingly RESOLVED to recommend to Council for approval the following:

- i. that the arrangements set out in Section 4 are adopted as a temporary measure to facilitate decision-making by Planning Committees whilst the work of the Council is impacted by the effects of the Coronavirus pandemic;**
- ii. the Terms of Reference of the new temporary WESTERN and EASTERN planning committees as set out in Annexe 3 are incorporated into the Constitution and clearly identified as being temporary measures for a period to be agreed by Full Council;**
- iii. that the need for the new temporary WESTERN and EASTERN planning committees is kept under review by the Planning Committee Chairman in consultation with the Head of Planning & Economic Development, and should be reviewed by Full Council in December 2020; and,**
- iv. that where an application could be decided under delegated authority were it not for there being a connection with a Member or Officer, then these applications may be delegated to the Head of Planning & Economic Development in consultation with the relevant Planning Committee Chairman and Vice-Chairman, and Ward Member, such**

special delegation expiring with the temporary planning committee arrangements.

The Standards Committee further RESOLVED that it would review the agreed arrangements for the temporary planning committees at its meeting in September 2020.

PART II - MATTERS OF REPORT

There were no matters of report.

The meeting commenced at 5.00 pm and concluded at 7.30 pm

Chairman