

- * Cllr Penny Rivers (Mayor)
- * Cllr John Ward (Deputy Mayor)

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|--------------------------|--------------------------|
| * Cllr Lauren Atkins | * Cllr Peter Martin |
| * Cllr Jane Austin | * Cllr Heather McClean |
| * Cllr Zoe Barker-Lomax | * Cllr Mark Merryweather |
| * Cllr David Beaman | * Cllr Kika Mirylees |
| * Cllr Dave Busby | * Cllr Alan Morrison |
| * Cllr Peter Clark | * Cllr David Munro |
| * Cllr Carole Cockburn | * Cllr George Murray |
| * Cllr Janet Crowe | * Cllr Peter Nicholson |
| * Cllr Jerome Davidson | * Cllr Nick Palmer |
| * Cllr Kevin Deanus | * Cllr Ken Reed |
| * Cllr Adam Duce | * Cllr Ruth Reed |
| * Cllr Tony Fairclough | * Cllr Connor Relleen |
| * Cllr Paul Follows | * Cllr Paul Rivers |
| * Cllr Maxine Gale | * Cllr John Robini |
| * Cllr Michael Goodridge | * Cllr Julian Spence |
| * Cllr George Hesse | * Cllr James Staunton |
| Cllr Michael Higgins | * Cllr Richard Steijger |
| * Cllr Jerry Hyman | Cllr Phoebe Sullivan |
| * Cllr Jacquie Keen | Cllr Liz Townsend |
| * Cllr Victoria Kiehl | Cllr Philip Townsend |
| * Cllr Andrew Laughton | * Cllr Terry Weldon |
| * Cllr Andrew Law | Cllr Graham White |
| * Cllr Gemma Long | * Cllr Michaela Wicks |
| * Cllr Andy MacLeod | * Cllr Steve Williams |

*Present

Apologies

Cllr Michael Higgins, Cllr Phoebe Sullivan, Cllr Liz Townsend, Cllr Philip Townsend and Cllr Graham White

CNL14/23 APOLOGIES FOR ABSENCE (Agenda item 1.)

Apologies for absence were received from Cllrs Michael Higgins, Phoebe Sullivan, Liz Townsend, Philip Townsend and Graham White.

CNL15/23 DECLARATIONS OF INTEREST (Agenda item 2.)

There were no declarations of interests in relation to matters on the agenda.

CNL16/23 PROPOSED CHANGES TO THE SIZE, COMPOSITION AND TERMS OF REFERENCE OF WAVERLEY BOROUGH COUNCIL'S COMMITTEES (Agenda item 3.) (Pages 7 - 10)

- 16.1 The Mayor reported that the Standards & General Purposes Committee had met earlier, at 4pm, to consider proposals for changes to the size, composition and terms of reference of Waverley Borough Council's committees. This had followed the debate at the Annual Council meeting. The report considered by the Standards & General Purposes Committee had been circulated to all Members with the Council agenda.
- 16.2 The recommendations of the Standards & General Purposes Committee had now been tabled for all Members (attached to the Minutes). The Mayor called a short adjournment to ensure that all Members had had time to read the recommendations that Council was about to debate. When the meeting resumed, the Mayor invited Cllr Andy MacLeod, Chair of the Standard & General Purposes Committee to make a report to Council Members and to move the recommendations of the Committee.
- 16.3 Cllr MacLeod reported that there had been a good debate at the Standards & General Purposes Committee, at which a number of non-committee Members had made representations.
- 16.4 The Committee had unanimously agreed the proposals to re-name the Audit Committee to the Audit & Risk Committee, and to reduce the size of that committee and the Standards & General Purposes Committee and the Licensing & Regulatory Committee (recommendations 1 – 4 on the tabled paper).
- 16.5 Cllr MacLeod reported that the Committee had listened carefully to representations from Members regarding the planning committee arrangements, and had debated the proposals thoroughly. The contentious issues were the number of committees and whether they should be area-based; and whether ward councillors should be able to participate in the determination of planning applications in their own ward, as voting committee members.
- 16.5 The Committee eventually voted 6 to 2 in favour of recommending to Council that there should be one planning committee of 15 members; and by the same margin that ward councillors should be excluded from participating as a committee member on determining planning applications in their ward. They would still be able to make representations to the committee under Procedure Rule 23.2 but would be free to be pre-determined on the application if they wished.
- 16.6 Cllr MacLeod concluded by confirming that the Standards & General Purposes Committee had been unanimous on the remaining recommendations: that Executive members be barred from serving on the planning committee; that any appropriately trained Member may sit as a substitute on the committee; that there be a review after 12-months of the performance and effectiveness of the planning committee; and that the Standards & General Purposes Committee review the delegations to the Executive Head of Planning Development and the planning committee

procedure rules to ensure that they supported the new planning committee in carrying out its role effectively.

- 16.7 Cllr John Robini seconded the recommendations of the Standards & General Purposes Committee as moved by Cllr MacLeod.
- 16.8 Cllr Hyman noted that the agenda for the meeting of the Western Planning Committee on 14 June had been published the previous day, and questioned whether that would be valid, and whether the membership could be resolved. Susan Sale, Executive Head of Legal & Democratic Services, advised that, if agreed the changes to the planning committee would come into effect, and that changes to the membership of the committee could be resolved via the delegation in place to fill vacant seats.
- 16.9 Cllr Peter Martin maintained that no effective evidence had been provided to support the recommendation to have one planning committee; the PAS 2022 report had not been considered by any committee previously and it had not recommended that the area planning committees be scrapped. It had noted that having more than planning committee was unusual, but not wrong, and Waverley was the largest district council by area in Surrey. He did not accept the argument about the drain on officer time of supporting two committees, as the same number of applications would now be coming to one planning committee. But, the workload for the councillors on the planning committee would be doubled, and the risk was that this would be to the detriment of good decision-making. Losing area planning committees would be a loss of local democratic input and local knowledge in the planning process, and he would be voting against.
- 16.10 Cllr Paul Follows thanked the Standard & General Purposes Committee and the other Members who contributed to the debate. He supported all the recommendations and reiterated how important it was to demonstrate to DLUHC that Waverley was taking a “whole team” approach to improving planning performance and avoiding designation. The proposals being considered were one part of the improvement plan and the proposed review of the scheme of delegation and the procedures would further support the improvement process. There was undoubtedly a negative impact of having multiple committees, and whilst there might initially be a higher workload for members on a single planning committee, this would drop off quickly. There would still be opportunity for local knowledge to be brought into planning decision-making but the planning committee was not the only opportunity for this. Cllr Follows noted that Surrey County Council covered a far bigger area than Waverly but managed with just one planning committee. And, while the 2022 PAS report had not explicitly recommended that the council have one planning committee, the 2018 PAS Peer Review had made exactly that recommendation, and it had been dismissed at the time.
- 16.11 Cllr David Munro was inclined to be opposed to the key recommendations, and Cllrs Jerry Hyman, Carole Cockburn, Michael Goodridge, Jane Austin, and Lauren Atkins all spoke against the proposals and reiterated concerns about the loss of local democratic input, trust between members and planning officers, the workload of a single committee, additional costs and time in carrying out site visits across the borough

- 16.12 Cllr Peter Clark, Mark Merryweather, George Hesse, and Steve Williams all spoke in support of the proposals noting that ward member would still be able engage with planning officers and to make representations at the planning committee without risk of predetermination; and householder applications could still be called in to the planning committee where there was a good planning reason.
- 16.13 Cllr Follows emphasised that councillors should claim expenses for child care costs and mileage where this was necessary. The changes to the planning committees needed to be supported by revisions to the scheme of delegation and procedure rules, and he hoped that these would come forward to the next Council meeting, and help support the vision of having a professional, trained and capable planning committee.
- 16.14 Cllr MacLeod had no further comments and endorsed the recommendations of the Standards & General Purposes Committee to Council.
- 16.15 With the agreement of Members, the Mayor called a vote on recommendations 1 to 4 together, and these were agreed unanimously.
- 16.16 A recorded vote was called for recommendation 5, and the outcome was 33 votes in favour, 11 votes against and 1 abstention. The recommendation was therefore carried.

Votes for

Cllrs David Beaman, Dave Busby, Peter Clark, Janet Crowe, Jerome Davidson, Adam Duce, Tony Fairclough, Paul Follows, George Hesse, Jacquie Keen, Victoria Kiehl, Andrew Laughton, Andrew Law, Gemma Long, Andy MacLeod, Heather McClean, Mark Merryweather, Kika Mirylees, Alan Morrison, George Murray, Peter Nicholson, Nick Palmer, Ken Reed, Ruth Reed, Paul Rivers, Penny Rivers, John Robini, Julian Spence, Richard Steijger, John Ward, Terry Weldon, Michaela Wicks, Steve Williams

Votes against

Cllr Lauren Atkins, Jane Austin, Zoe Barker-Lomax, Carole Cockburn, Kevin Deanus, Michael Goodridge, Jerry Hyman, Peter Martin, David Munro, Connor Relleen, James Staunton

Abstentions

Cllr Maxine Gale

- 16.17 With the agreement of Members, the Mayor called a vote on recommendations 6 to 9 together, and these were agreed unanimously.
- 16.18 Council therefore **RESOLVED that with immediate effect:**
1. **the Council's 'Audit Committee' be re-named the 'Audit and Risk Committee' and that authority be delegated to the Monitoring Officer to amend the constitution to reflect the change.**
 2. **the size of the 'Audit Committee' or 'Audit and Risk Committee' be reduced from 8 councillors to 7 and authority be delegated to**

the Monitoring Officer to amend the constitution to reflect the change.

- 3. the size of Council's Standards and General Purposes Committee be reduced from 9 councillors to 7 and authority be delegated to the Monitoring Officer to amend the constitution to reflect the change.**
- 4. the size of the Licensing and Regulatory Committee be reduced from 12 councillors to 11 and authority be delegated to the Monitoring Officer to amend the constitution to reflect the change.**
- 5. the Eastern and Western Planning Committees be abolished and replaced by one Planning Committee comprising 15 members appointed in accordance with political balance who have completed mandatory training requirements, not to include any member of the Executive, with terms of reference to include determination of planning applications from anywhere in the borough that are not delegated to the Joint Executive Head of Planning Development; and, with members being able to be substituted by any member of the Council who has undertaken the mandatory training requirements from the same political group as the absent member, other than an Executive member; and Ward members not to be permitted to participate in the debate nor vote for the determination of any applications in their Ward but be able to make representations to open and close the committee debate on such applications in accordance with current Council Procedure Rules.**
- 6. The Standards & General Purposes Committee receives a report in 12 months to review the performance and effectiveness of the new planning committee.**
- 7. The Standards and General Purposes Committee receives a report reviewing the delegations to the Executive Head of Planning Development within the Council's Officer Scheme of Delegation.**
- 8. The Standards and General Purposes Committee receives a report reviewing the Planning Committee procedure rules within the Constitution.**
- 9. Based on the outcome of Council consideration of the Committee's proposals, Council notes the revised proportional allocation of committee seats set out in Appendix 1.**

16.19 The Executive Head of Legal & Democratic Services confirmed that she had a delegated authority that would allow her to confirm appointments to the new Planning Committee in accordance with Group Leaders' nominations, and these would be reported to the next meeting of Council.

The meeting concluded at 8.00 pm

Mayor

WAVERLEY BOROUGH COUNCIL
EXTRAORDINARY COUNCIL MEETING
7 JUNE 2023

Title:

Proposed changes to the size, composition and terms of reference of Waverley Borough Council's committees.

The Standards and General Purposes Committee met at 4pm on Wednesday 7 June 2023 to consider proposed amendments to the Council's constitution in respect of amendments to the size, composition and terms of reference and arrangements.

Having taken into account all options and officer advice presented, and representations made, the Standards and General Purposes Committee recommends to Council that with immediate effect:

- 1. the Council's 'Audit Committee' be re-named the 'Audit and Risk Committee' and that authority be delegated to the Monitoring Officer to amend the constitution to reflect the change.**

Reason for the recommendation: to better reflect the remit of the Committee which includes both the audit and risk management functions.

- 2. the size of the 'Audit Committee' or 'Audit and Risk Committee' be reduced from 8 councillors to 7 and authority be delegated to the Monitoring Officer to amend the constitution to reflect the change.**

Reason for the recommendation: to reflect the change in the size of the council.

- 3. the size of Council's Standards and General Purposes Committee be reduced from 9 councillors to 7 and authority be delegated to the Monitoring Officer to amend the constitution to reflect the change.**

Reason for the recommendation: to reflect the change in the size of the council.

- 4. the size of the Licensing and Regulatory Committee be reduced from 12 councillors to 11 and authority be delegated to the Monitoring Officer to amend the constitution to reflect the change.**

Reason for the recommendation: to reflect the change in the size of the council.

With regards to the Council's arrangements for planning committees, the Standards and General Purposes Committee further recommends that with immediate effect:

5. the Eastern and Western Planning Committees be abolished and replaced by one Planning Committee comprising 15 members appointed in accordance with political balance who have completed mandatory training requirements, not to include any member of the Executive, with terms of reference to include determination of planning applications from anywhere in the borough that are not delegated to the Joint Executive Head of Planning Development; and, with members being able to be substituted by any member of the Council who has undertaken the mandatory training requirements from the same political group as the absent member, other than an Executive member; and Ward members not to be permitted to participate in the debate nor vote for the determination of any applications in their Ward but be able to make representations to open and close the committee debate on such applications in accordance with current Council Procedure Rules.

6. The Standards & General Purposes Committee receives a report in 12 months to review the performance and effectiveness of the new planning committee.
7. The Standards and General Purposes Committee receives a report reviewing the delegations to the Executive Head of Planning Development within the Council's Officer Scheme of Delegation.
8. The Standards and General Purposes Committee receives a report reviewing the Planning Committee procedure rules within the Constitution.
9. Subject to the outcome of Council consideration of the Committee's proposals, Council notes the revised proportional allocation of committee seats set out in Appendix 1.

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