

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**